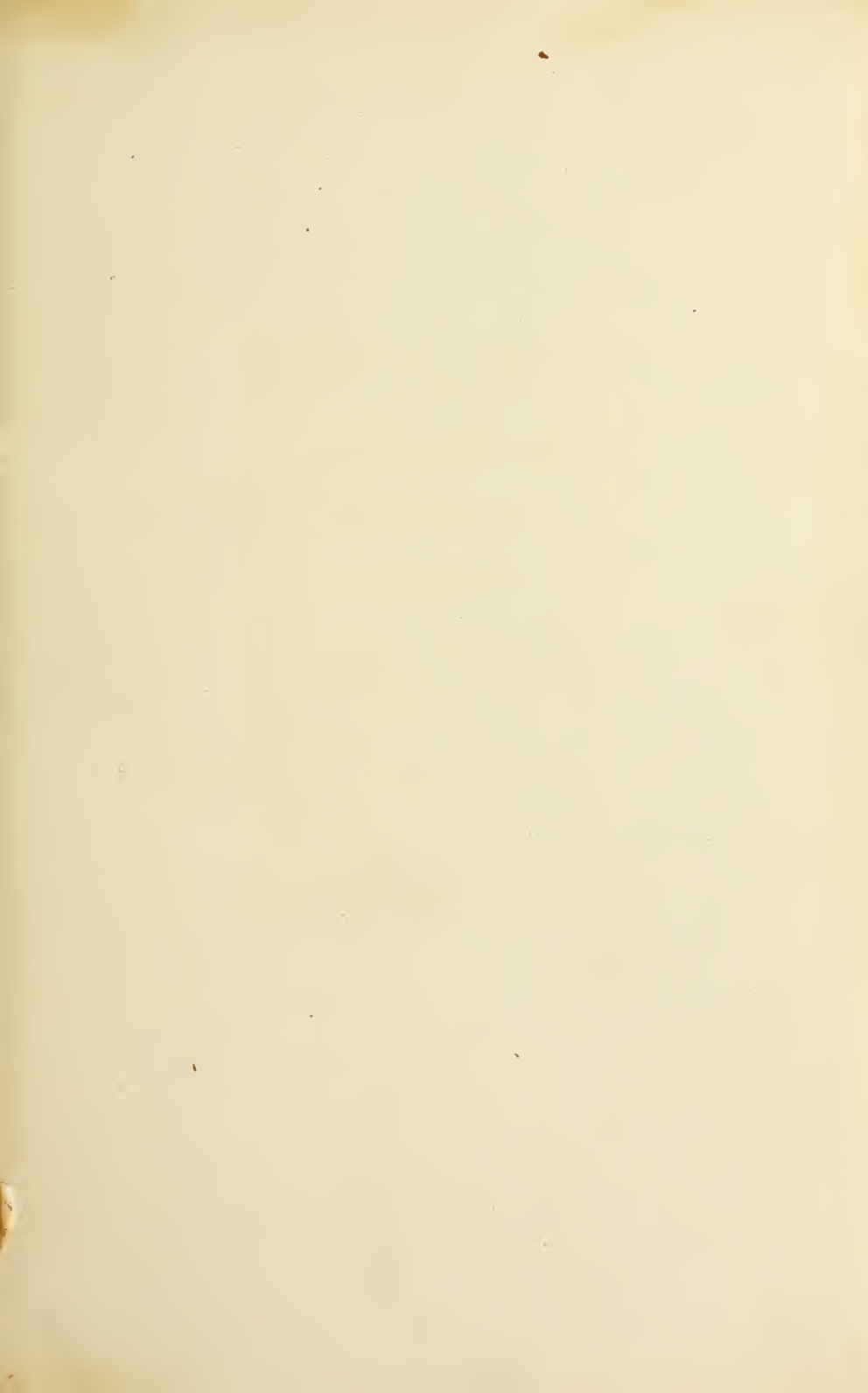


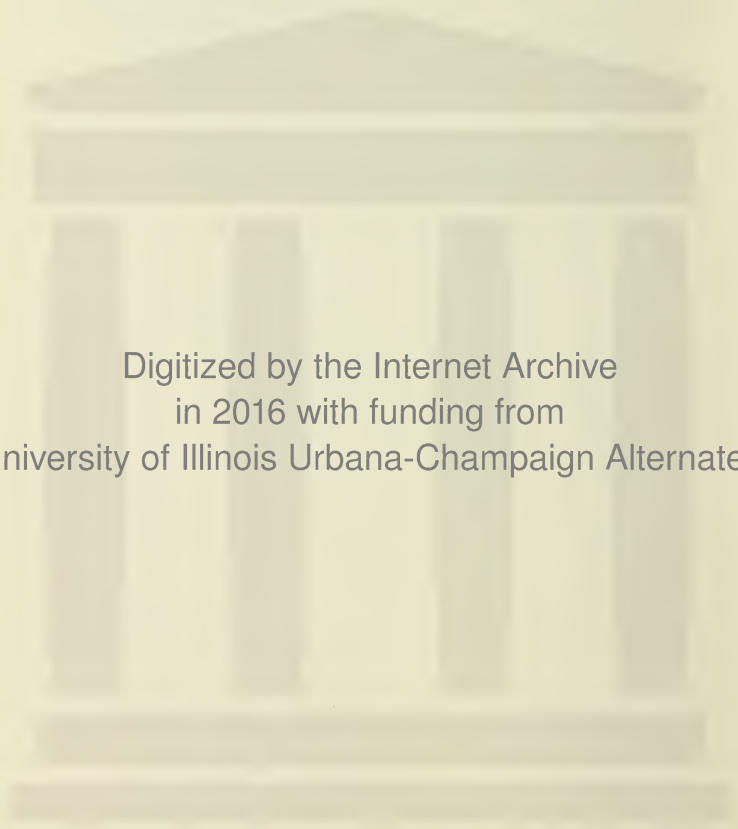
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JOURNAL
OF THE
ASSEMBLY

OF THE
STATE OF NEW YORK

AT THEIR
ONE HUNDRED AND TWENTY-EIGHTH SESSION

VOL. III.



ALBANY
BRANDOW PRINTING COMPANY
STATE LEGISLATIVE PRINTERS

1905

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Moreland.—Mr. Speaker, I raise the point of order that that amendment is not germane. This is purely a local bill.

Mr. Speaker.—If Mr. Palmer's amendment is general it is not germane to a local bill.

Mr. Palmer.—Mr. Speaker, I insist that it is.

Mr. Speaker.—The Chair will have to rule that a general amendment to a local bill is not germane, Mr. Palmer. It can apply to the city of Elmira, but it could not apply—you can not make an amendment to a general law under a special act, Mr. Palmer.

Mr. Palmer.—Does the Chair hold that if I offer this amendment applying to five cities in the State, naming them, it would not be germane?

Mr. Speaker.—The Chair would hold it is not germane to a local bill.

Mr. Palmer.—Does the Chair remember holding a short time ago, in this session, a local bill referring to one county with reference to duck shooting, that seven or eight other counties—I guess fifteen—were put in and held to be germane.

Mr. Speaker.—The difference between these propositions, Mr. Palmer, is this: The spring duck shooting bill made the same provisions of that act, which was a general act, in its drafting, apply to the various counties of the State that were added. The Chair would hold that you could upon this proposition here in a general bill make it applicable to all cities. The Chair would hold that an amendment making the provisions, this provision, applicable to all the cities of the State is germane in a separate bill. You can amend by substituting a bill and include the proposed amendment through a substitute bill. The title of the bill could be amended so as to apply to all cities of the State.

Mr. Sheldon moved to amend by substituting therefor the following substitute bill:

AN ACT in relation to claims for damages arising from defective streets, sidewalks, et cetera, in townships, incorporate villages and cities.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. No township, incorporate village or city within this state shall be liable for any damage or injury sustained by any person in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk therein being out of repair, unsafe, dangerous or obstructed by snow, ice or otherwise or in any other way or manner unless actual notice of the defective, unsafe, dangerous or obstructive condition of said street, highway, bridge, culvert, sidewalk or crosswalk shall have been given to the officer or board having charge of the maintenance and repair of the highways, streets, bridges, culverts, sidewalks and crosswalks in such township, incorporate village or city, forty-eight hours previous to said damage or injury.

§ 2. This act shall take effect immediately.

On motion of Mr. Moreland, and by unanimous consent, said bill, with pending amendments, was ordered placed on the third reading calendar for Thursday next.

“An act to amend the Banking Law, relative to communications from the Banking Department to banks, savings banks and trust companies” (No. 875, Rec. No. 187), which was read the first time and referred to the committee on banks.

“An act to amend the General Corporation Law, in relation to the consent of stockholders requisite to an extension of corporate existence” (No. 253, Rec. No. 188), which was read the first time and referred to the committee on the judiciary.

“An act to enable the towns constituting the county of Nassau to fix and pay an annual compensation to certain town officers therein in addition to the disbursements of said town officers in the performance of their duties” (No. 928, Rec. No. 189), which was read the first time.

On motion of Mr. Miller, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Miller, and by unanimous consent, said bill was read the third time, having been printed and upon the

desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Parker	Standart
Allen F E	Cox	Hooper	Patton	Stanley
Allen J G	Cunningham	Hornidge	Perry	Steele
Anderson	Dodd	Hubbs	Phillips	Stevens
Apgar	Donovan	Hurd	Plank	Sullivan
Bass	Dowling	Kavanaugh	Platt	Tenjost
Becker	Ellis	Knapp	Pratt	Thompson G F
Bedell	Etzel	La Fetra	Prentice	Thompson J A
Beebe	Evans	La Rue	Prince	Thonet
Beihilf	Everett	Leggett	Quinn	Tompkins
Bird	Fish	Machacek	Reeve	Waddell
Bisland	Fitzsimons	Maier	Reilly	Wagner
Brady	Foelker	Malloy	Rigby	Wadsworth
Brooks	Foster	Mathews T F	Rogers	Wainwright
Burns	Francisco	Matthews C R	Rosenstein	Wedemeyer
Burzynski	Fuller	McKeown	Salomon	West
Byrne	Gardner	McManus	Santee	Wemple
Cadin	Gates	Mead	Schoeneck	Whitney F G
Cahn	Grady	Merritt	Scovill	Whitney G H
Callahan	Grattan	Miller	Shanahan	Wiegand
Carrier	Gray	Monroe	Sheehy	Wilsnack
Caughlan	Gurnett	Moreland	Sherry	Wilson
Charles E E	Hackett	Murphy	Shuttleworth	Wolf
Charles W B	Hammond	Newton	Slocum	Wood F C
Cooke	Hanford	Nugent	Smith A P	Wood F X
Coon	Hapeman	Ogden	Smith J E	Yale
Cotton	Hartman	O'Neill	Smith J T	Young
Coutant	Hastings	Palmer	Smith R H	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to authorize and empower the board of assessors of the city of New York to estimate and allow the damages sustained by the owners of real property fronting upon the streets approaching the new bridge across Gowanus canal at Third street, in the borough of Brooklyn, city of New York" (No. 647, Rec. No. 190), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 182 of the Laws of 1898, entitled

'An act for the government of cities of the second class,' in relation to health districts" (No. 852, Rec. No. 191), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," and to consolidate therewith the several acts in relation to the charter of said city,' in relation to local improvements" (No. 850, Rec. No. 192), which was read the first time.

On motion of Mr. Ogden, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Ogden, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 144

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Perry	Standart
Allen F E	Cox	Hornidge	Phillips	Stanley
Allen J G	Cunningham	Hubbs	Plank	Steele
Anderson	Dale	Hurd	Platt	Stevens
Apgar	Dodd	Kavanaugh	Pratt	Sullivan
Bass	Donovan	Knapp	Prentice	Tenjust
Becker	Dowling	La Fetra	Prince	Thompson G F
Bedell	Ellis	La Rue	Quinn	Thompson J A
Beebe	Evans	Leggett	Reeve	Thonet
Beihlf	Everett	Machacek	Reilly	Tompkins
Bird	Fish	Maier	Rigby	Waddell
Bisland	Fitzsimons	Malloy	Rogers	Wade
Brady	Foelker	Mathews T F	Rosenstein	Wagner
Brooks	Foster	Matthews C R	Solomon	Wadsworth
Burnett	Francisco	McKeown	Sammon	Wainwright
Burns	Freidel	McManus	Santee	Wedemeyer
Burzynski	Fuller	Mead	Schoeneck	West
Byrne	Gardner	Merritt	Scovill	Wemple
Cadin	Gates	Miller	Shanahan	Whitney F G
Cahn	Grady	Monroe	Sheehy	Whitney G H
Callahan	Grattan	Moreland	Sheldon	Wiegand
Carrier	Gray	Murphy	Sherry	Wilsnack
Caughlan	Gurnett	Newton	Shuttleworth	Wilson
Charles E E	Hackett	Nugent	Slocum	Wolf

Charles W B	Hammond	Ogden	Smith A P	Wood F C
Cooke	Hanford	O'Neill	Smith A E	Wood F X
Coon	Hapeman	Palmer	Smith J E	Yale
Cotton	Hastings	Patton	Smith J T	Young
Coutant	Hooker	Pendry	Smith R H	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act to amend chapter 182 of the Laws of 1898, entitled ‘An act for the government of cities of the second class,’ in relation to the jurisdiction of the police court and police justice” (No. 836, Rec. No. 193), which was read the first time.

Said bill having been announced for a second reading,

Mr. Ogden moved to amend as follows:

Page 2, line 1, after the word “have” insert the words “or shall have,” and underscore the same.

Same page, line 4, after the word “jurisdiction” insert the words “now or hereafter,” and underscore the same.

Same page, line 18, after the word “method” insert the words “now or hereafter,” and underscore the same.

Page 3, line 9, after the word “are” insert the words “or may be,” and underscore the same.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted as amended and referred to the committee on affairs of cities.

“An act to amend chapter 39 of the Laws of 1874, entitled ‘An act to reorganize the village of Medina,’ in relation to establishing or acquiring a system of waterworks for said village, and the issuance of bonds therefor” (No. 914, Rec. No. 194), which was read the first time and referred to the committee on affairs of villages.

“An act to amend chapter 413 of the Laws of 1892, entitled ‘An act to provide for the construction of a draw-bridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city,’ as amended by chapter 540 of the Laws of 1894 and as amended by chapter 716 of the Laws of 1896” (No. 787, Rec. No. 195), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Banking Law with reference to a semi-annual examination by directors of banks and trust companies” (No. 874, Rec. No. 196), which was read the first time and referred to the committee on banks.

“An act to amend the Public Health Law, relative to the report of the health officer of the port of New York” (No. 708, Rec. No. 197), which was read the first time and referred to the committee on public health.

“An act to amend subdivision 4 of section 2388 of the Code of Civil Procedure, relative to the service of certain notices upon heirs” (No. 949, Rec. No. 198), which was read the first time and referred to the committee on codes.

“An act to amend the Membership Corporations Law relating to corporations for the prevention of cruelty” (No. 857, Rec. No. 199), which was read the first time and referred to the committee on the judiciary.

“An act authorizing the village of Ellenville, Ulster county, to issue additional bonds for the purpose of completing a dyke or other structure along the bank of the Beerkill creek or stream in or near such village and relating to the debt limitation in said village” (No. 795, Rec. No. 200), which was read the first time and referred to the committee on affairs of villages.

“An act to authorize the comptroller of the city of New York to cancel of record certain taxes on exempt lands of St. Ann’s church of Morrisania in the city of New York” (No. 458, Rec. No. 201), which was read the first time and referred to the committee on affairs of cities.

“An act to amend chapter 760 of the Laws of 1897, entitled ‘An act to revise the charter of the city of Watertown’” (No. 882, Rec. No. 202), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Insurance Law, as to how surplus profits are to be estimated in the case of domestic fire insurance corporations” (No. 612, Rec. No. 203), which was read the first time and referred to the committee on insurance.

“An act to amend chapter 506 of the Laws of 1902, entitled ‘An act to amend the charter of the village of Saratoga Springs

and to provide for the appointment of sewer, water and street commissioners for said village and to prescribe their powers and duties,' is hereby amended so as to read as follows " (No. 746, Rec. No. 204), which was read the first time and referred to the committee on affairs of villages.

"An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon ' " (No. 730, Rec. No. 205), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the grant of lands under the waters of Pelham bay, in the city of New York, to the Harlem River and Port Chester Railroad Company, for its corporate purposes " (No. 701, Rec. No. 206), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the compensation of the commissioner of public works of such city " (No. 905, Rec. No. 207), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants " (No. 818, Rec. No. 208), which was read the first time and referred to the committee on canals.

"An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' as amended by chapter 156 of the Laws of 1903 " (No. 807, Rec. No. 209), which was read the first time and referred to the committee on affairs of cities.

"An act relating to the investment, by the chamberlain of the city of New York, of funds or moneys paid into court in the counties of New York, Kings, Queens and Richmond " (No. 860, Rec. No. 210), which was read the first time and referred to the committee on affairs of cities.

"An act to release to Philip Schwendeman, Andrew Schwendeman, Caroline Schwendeman, Christina Susana Schwendeman, August Schwendeman, Louis Schwendeman, Philip Schwebius and Annie Schwebius, heirs at law of Andreas Schwendeman,

deceased, all the right, title and interest of the people of the State of New York, in and to certain real estate, situate in the city, county and State of New York, known as No. 609 East Fourteenth street, borough of Manhattan, in said city, of which Frederick Pauss died seized, acquired by escheat, or otherwise, upon the death of Frederick Pauss" (No. 886, Rec. No. 211), which was read the first time and referred to the committee on claims.

"An act to amend section 657 of the Code of Civil Procedure" (No. 948, Rec. No. 212), which was read the first time and referred to the committee on codes.

"An act to make the office of sheriff of Rockland county a salaried office, and to regulate the management of said office" (No. 789, Rec. No. 213), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Greater New York charter, relative to powers of the board of estimate and apportionment" (No. 334, Rec. No. 214), which was read the first time and referred to the committee on affairs of cities.

"An act for the relief of Catherine F. Mahon" (No. 755, Rec. No. 215), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the city of Buffalo to issue its bonds for the purpose of completing the abatement of all nuisance in the Main and Hamburg, Ohio Basin and Clark and Skinner canals" (No. 112, Rec. No. 216), which was read the first time and referred to the committee on affairs of cities.

Mr. Rigby introduced a bill entitled "An act to repeal section 6 of title 10 of chapter 416 of the Laws of 1893, entitled 'An act in relation to the city court of Yonkers'" (Int. No. 1321), which was read the first time and referred to the committee on affairs of cities.

Mr. Lewis introduced a bill entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' and to authorize the annual increase of \$5,000 to the highway fund of said city, to be used only for per-

manent improvements" (Int. No. 1322), which was read the first time and referred to the committee on affairs of cities.

Mr. Tompkins introduced a bill entitled "An act to amend the Greater New York charter, relative to the appointment of police matrons" (Int. No. 1323), which was read the first time and referred to the committee on affairs of cities.

Mr. Moreland introduced a bill entitled "An act to amend section 6 of chapter 306 of the Laws of 1893, entitled 'An act to establish a State prison for women,' relative to salaries of guards" (Int. No. 1324), which was read the first time and referred to the committee on State prisons.

Mr. Young introduced a bill entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of Frank Rubano, an infant, by Felide Rubano, his guardian ad litem, against the State, for damages for personal injuries sustained by said infant in being run over by a horse and ambulance wagon attached to one of the public hospitals in the borough of Manhattan, city of New York" (Int. No. 1325), which was read the first time and referred to the committee on claims.

Mr. McManus introduced a bill entitled "An act to amend section 308 of the Greater New York charter, relative to the duties and powers of the police commissioners" (Int. No. 1326), which was read the first time and referred to the committee on affairs of cities.

Mr. Lewis introduced a bill entitled "An act appropriating certain lands in the city of Oswego to the use of the Oswego hospital" (Int. No. 1327), which was read the first time and referred to the committee on affairs of cities.

Mr. Fitzsimons introduced a bill entitled "An act to regulate elevator conductors and the operation of elevators in the city of New York" (Int. No. 1328), which was read the first time and referred to the committee on railroads.

Mr. Fuller introduced a bill entitled "An act to amend chapter 507 of the Laws of 1903, entitled 'An act to abolish certain grade crossings of highways and railroads in the borough of Brooklyn

in the city of New York and county of Kings, and providing for necessary changes in the grades of highways, streets and avenues, and of portions of the railroad and right of way of the New York, Brooklyn and Manhattan Beach Railway Company, leased to the Long Island Railroad Company, and of the Brooklyn Union Elevated Railroad Company, leased to the Brooklyn Heights Railroad Company, so as to abolish present and avoid future crossings at grade, and providing means for the payment for such alterations or changes' " (Int. No. 1329), which was read the first time and referred to the committee on railroads.

Mr. Parker introduced a bill entitled "An act to amend the Highway Law in relation to private roads, and to repeal certain parts thereof" (Int. No. 1330), which was read the first time and referred to the committee on internal affairs.

Mr. Lewis introduced a bill entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' and to authorize the city of Oswego to raise funds necessary to meet deficit in its department of works" (Int. No. 1331), which was read the first time and referred to the committee on affairs of cities.

Mr. F. G. Whitney introduced a bill entitled "An act to amend the Liquor Tax Law in relation to special deputy commissioners, excise taxes, local option, persons who shall not traffic in liquors, cancellation proceedings, injunction proceedings, special liquor tax certificates, convictions and reports and fees of county clerks" (Int. No. 1332), which was read the first time and referred to the committee on excise.

Mr. Wedemeyer introduced a bill entitled "An act for the relief of the minor daughter of Joseph Parker, a volunteer fireman, whose death resulted from injuries received by him while in the actual performance of his duties, and while a member of Granite Hook and Ladder Company No. 2, a volunteer fire company of the city of New York" (Int. No. 1333), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Sheldon introduced a bill entitled "An act to authorize the

board of trustees of the village of Salamanca, Cattaraugus county, to appoint a board of water commissioners " (Int. No. 1334), which was read the first time.

On motion of Mr. Sheldon, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Grady introduced a bill entitled "An act to abolish certain grade crossings of highways and railroads in the borough of Brooklyn, in the city of New York and county of Kings, and providing for necessary changes in the grades of highways, streets and avenues and of portions of the railroad and right of way of the Nassau Electric Railroad Company, formerly owned by the Brooklyn, Bath and West End Railroad Company, and for a change in the location thereof, so as to abolish present and avoid future crossings at grade, and providing means for the adoption of plans for such alterations and for the payment for such alterations or changes " (Int. No. 1335), which was read the first time and referred to the committee on railroads.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. F. C. Wood, Int. No. 488, entitled "An act to amend the Election Law, by providing for a special registration of electors absent from the State " (No. 529), reported the same for the consideration of the House without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Murphy, Int. No. 386, entitled "An act to amend the Civil Service Law, relating to the qualification of applicants for civil service examinations " (No. 418), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Pendry, Int. No. 1211, entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An

act in relation to the municipal court of the city of New York, its officers and marshals,' relative to jurors " (No. 1549), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Young, Int. No. 1165, entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' relative to the appointment of an additional assistant clerk " (No. 1451), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fuller, Int. No. 633, entitled "An act to amend the Municipal Court Act of the city of New York, relative to the jurisdiction of such court " (No. 713), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Dodd, Int. No. 280, entitled "An act to amend the Stock Corporations Law, in relation to annual reports of corporations " (No. 280), reported in favor of the passage of the same with the following amendments:

Page 2, line 4, strike out the bracket.

Same page, between lines 12 and 13 insert a new subdivision to read as follows:

"4. The names and addresses of all the directors and officers of the company, and in the case of a foreign corporation, the name also of the person designated in the manner prescribed by the code of civil procedure, as a person upon whom process against the corporation may be served within this state."

Same page, at end of line 20 strike out the bracket.

Same page, strike out all of lines 21, 22, 23, 24, 25 and 26.

Strike out all of page 3, and all of page 4 down to and including line 10.

ROBERT J. FISH,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fish, Int. No. 1022, entitled "An act to encourage the formation of companies to supply Pasteurized or clarified milk and cream and pure dairy products and to exempt the same from the provisions of sections 1 and 2 of chapter 290 of the Laws of 1899, and section 7 of the Stock Corporations Law" (No. 1232), reported in favor of the passage of the same with the following amendments:

Page 2, line 1, after the word "ninety" insert the words "of the laws of eighteen hundred and ninety-nine and of section seven of the stock corporation law."

Same page, line 6, after the word "village" insert the words "or to adjoining cities or villages."

Same page, lines 11 and 12, after the word "prices" strike out the words "or amounts which upon the average are."

Same page, line 12, after the word "the" insert the word "average."

Same page, lines 14 and 15, after the word "four" strike out the words "upon an average."

Same page, line 17, after the word "city" insert the words "or cities."

Same page, line 21, after the word "village" insert the words "or villages."

Same page, line 24, after the word "directors" insert the words "with the same power and authority as other directors but such ex officio directors shall have no financial interest in any such corporation and shall not be liable as such directors for any of the debts or liabilities of such corporation."

ROBERT J. FISH,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Cassidy, Rec. No. 150, entitled "An to amend the Executive Law, relative to the number of notaries public" (No. 579), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Wilcox, Rec. No. 138, entitled "An act to legalize the acts of Frank Phinney, of Sempronius, Cayuga county, N. Y., performed as notary public in April, 1890" (No. 760), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was recommitted the Senate bill introduced by Mr. Davis, Rec. No. 58, entitled "An act to amend chapter 394 of the Laws of 1904, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the duties of the commissioner" (No. 187, Assembly reprint No. 1018), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. La Fetra, Int. No. 826, entitled "An act to provide for the payment of the claim of James R. F. Kelly and William D. Kelley, against the city of New York, for work and labor done and services rendered and materials furnished for a sewer on East Two Hundred and Fourth street, in said city" (No. 968), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Pendry, Int. No. 21, entitled "An act in relation to Greene avenue and Madison street in the borough of Brooklyn, city of New York" (No. 21), reported in

favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was recommitted the bill introduced by Mr. Pendry, Int. No. 612, entitled "An act to amend the Railroad Law, in relation to the consents of property owners to the construction of street railroads in the county of Kings" (No. 1700), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Merritt, Int. No. 1072, entitled "An act to legalize the action of the biennial town meeting of the town of Lawrence, county of St. Lawrence, in voting upon a town proposition for the purchase of a stone crushing machine and an engine to operate the same, and authorizing the town board and commissioner of highways in such town to purchase such stone crushing machine and engine" (No. 1318), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sullivan, Int. No. 1222, entitled "An act to amend chapter 208 of the Laws of 1889, entitled 'An act to incorporate the fire department of the town of Newtown, Queens county, N. Y.' in relation to chiefs of such department" (No. 1560), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Hooker, from the committee on internal affairs, to which was recommitted the bill introduced by Mr. West, Int. No. 606, entitled "An act to amend the Tax Law, in relation to the notice of completion of assessment roll and grievance day" (No. 1510), retaining its place on the order of second reading, reported in

favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. G. F. Thompson, Int. No. 1223, entitled "An act to amend chapter 109 of the Laws of 1894, in relation to the salary and compensation of the county judge and surrogate of Niagara county" (No. 1561), reported in favor of the passage of the same with the following amendments:

Page 2, line 12, strike out the word "once" and insert in place thereof the word "twice;" also, strike out the word "week" and insert the word "month."

Same page, line 13, strike out the word "twice" and insert in place thereof the word "once."

S. PERCY HOOKER,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was recommitteed the bill introduced by Mr. Rigby, Int. No. 531, entitled "An act to provide for the construction and maintenance of a sanitary trunk sewer and sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor" (No. 1015), retaining its place on the order of second reading, reported in favor of the passage of the same with the following amendments:

Page 5, lines 15 and 16, strike out the words "and also, to do all things necessary to prevent the pollution of the Bronx river."

Same page, line 20, strike out the word "in" after the word "river" and insert in place thereof the words "at least to."

Same page, line 22, strike out the word "lands" after the word "all" and insert in place thereof the words "real estate," and strike out the word "shall" in same line.

Same page, line 24, strike out the words "be limited to" and insert in place thereof the words "shall not exceed."

Page 6, line 25, after the word "Yonkers" insert the words "and in the village of White Plains."

Page 7, line 8, strike out the word "board" and insert the word "department."

Same page, line 9, strike out the word "board" and insert the word "department."

Same page, line 21, after the word "acquired" insert the words "and the said commissioners in determining whether the title or interest in the respective parcels to be so indicated on said map for acquisition shall be an easement or an estate in fee simple therein shall consider the right to use and occupy the said parcels in perpetuity under the provisions of this act as a sufficient title and interest to be acquired therein; unless special reasons to be stated in the record of their proceedings they shall judge it to be essential to a due and proper execution of their powers under this act, that an estate in fee simple shall be acquired therein."

Page 9, line 17, strike out the comma after the word "owners" and insert a comma after the word "of."

Page 10, line 8, strike out the words "in fee."

Page 13, line 12, after the word "bank" insert a comma.

Page 16, line 7, after the word "act" insert the words "as modified by this act."

Same page, line 13, after the word "act" insert the words "as modified by this act."

Same page, line 20, strike out the word "ten" and insert in place thereof the word "twenty-five."

Page 20, line 16, after the word "hereunder" insert the words "as modified by this act."

Same page, line 22, after the word "municipality" insert the words "as modified by this act."

Page 22, line 5, after the word "now" insert the words "or may then be," and after the word "sewered" insert the words "by gravity."

Same page, line 12, after the word "area" insert the words "as modified by this act."

Same page, line 13, after the part of word "tion" change the period to a comma and insert the word "and," and begin the next word "Any" with a small letter.

Same page, line 25, change the period to a semicolon and strike out the remainder of line and also line 26, and insert in place thereof the words "nor shall any land in the city of Mount Vernon within the natural sewerage area of the Bronx river as shown and laid out in the map of said district approved under

section two of this act, which has been heretofore directly assessed for any sewer emptying by gravity through any other sewer into the Eastchester creek or the Hutchinson river, be so included as lands within the sewerage district or area to be benefited by the sewerage system to be constructed under this act."

Page 23, strike out all of lines 1 to 11 inclusive and the words "or outlet sewer" in line 12.

Page 26, strike out all of lines 6 to 12 inclusive.

Same page, line 13, change figures "17" to figures "16."

Same page, line 18, change figures "18" to figures "17."

Same page, line 23, change figures "19" to figures "18."

Page 27, line 9, after the word "thereof" insert the words "except the city of Mount Vernon;" and in line 23 change the figures "20" to figures "19."

Page 28, between lines 6 and 7, insert the following new section:

"§ 20. Whenever the board of supervisors of Westchester county shall at any time determine the annual amount to be levied upon the real estate in the city of Mount Vernon within the sewerage area provided for by this act, they shall immediately after each such annual determination transmit to the clerk of the city of Mount Vernon a certified statement showing the amount of such levy which certificate shall be duly filed by said clerk in his office. The common council of the city of Mount Vernon is hereby empowered and they may annually levy and raise by tax to be assessed upon all the property, real and personal, liable to taxation within the said city, and upon the stockholders of banks, trust companies and banking associations organized pursuant to law and located within said city, to be collected from the owners of any real and personal property and from the stockholders of such banks, trust companies and banking associations, the amount or amounts set forth in the statement or statements to be certified and filed as provided in this section of this act, and the amount so certified each year may be placed in the annual tax levy of said city immediately following the filing of said certificate as aforesaid. The treasurer of the city of Mount Vernon is authorized and empowered to pay over to the treasurer of the county of Westchester, the amount which may be levied as provided in this section out of the first moneys which shall come into his hands from the tax levy made in pursuance of this section of this act, and the receipt thereof by the said treasurer of Westchester

county, shall be in full satisfaction and payment of the amount which the board of supervisors of Westchester county may have determined as the amount to be levied upon the real estate in the city of Mount Vernon within the area benefited by the construction of such sanitary trunk sewer and sanitary outlet sewer, and such payment when so made shall have the effect of releasing to that extent, the lands in the city of Mount Vernon within such sewerage area, as fixed by this act from the lien of the assessment provided for in section fourteen hereof. The provisions of this section shall not be construed as increasing the sewerage area in said city of Mount Vernon for benefits derived from the construction and maintenance of such sanitary trunk sewer and sanitary outlet sewer. The amounts which the board of supervisors of the county of Westchester shall levy annually upon real estate within the corporate limits of the city of Mount Vernon, in pursuance of any authority vested in them by this act, shall be in addition to the sums by law already allowed to be raised annually in said city."

Same page, strike out all of line 17 and add two new sections:

"§ 22. All acts or parts of acts, general or special, inconsistent with this act, are hereby repealed.

"§ 23. This act shall take effect immediately."

S. PERCY HOOKER,

Chairman.

Which report was agreed to and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Steele, Int. No. 432, entitled "An act to abolish the county of Hamilton and to annex the territory thereof to the counties of Franklin, Herkimer and Fulton" (No. 461), reported a substitute bill, and request that said substitute bill be printed and recommitted to said committee, which report was agreed to and said substitute bill ordered printed and recommitted to said committee.

(See Appendix, No. 10.)

Mr. Hooker, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Malby, Rec. No. 166, entitled "An act to amend chapter 28 of the Laws of 1882, entitled 'An act for the support of the poor in the town of Oswe-

gatchie, in the county of St. Lawrence' " (No. 697), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Coon, from the committee on agriculture, to which was referred the bill introduced by Mr. Parker, Int. No. 1210, entitled "An act to amend the Agricultural Law, in relation to the collection and dissemination of agricultural statistics " (No. 1548), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Coon, from the committee on agriculture, to which was referred the bill introduced by Mr. Wilson, Int. No. 1163, entitled "An act to amend the Agricultural Law, in relation to the prevention of disease in fruit trees, and the pests that infest the same " (No. 1449), reported in favor of the passage of the same with the following amendment:

Page 2, line 20, underscore the word " authority."

ABRAM S. COON,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Apgar, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. Tompkins, Int. No. 26, entitled "An act to provide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects " (No. 1732), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 2, line 2, after the words " city of New York " strike out all down to and including the word " accordingly " on page 3, line 2.

Page 3, line 14, after the word "act" insert the words "Two members shall constitute a quorum of said board for the transaction of all business of the board."

Page 6, line 11, after the word "electricity" insert the words "provided, however, that no reservoir, or other structure for the storage or impounding of water, shall at any time be constructed within the drainage area of the Esopus creek in the county of Ulster, other than that designated in the reports of William H. Burr, Rudolph Hering, and John R. Freeman to the honorable George B. McClellan, mayor, chairman, board of estimate and apportionment of the city of New York, as to the Ashokan reservoir."

Page 15, line 6, after the word "them" insert the words "Where loss, damage or expense, direct or consequential, has resulted to any duly incorporated railroad corporation, operating a steam railroad in any county in which lands shall be acquired in pursuance of the provisions of this act, or by reason of any of the matters in this act involved, the board of estimate and apportionment of the city of New York, is hereby authorized and empowered to agree with such railroad corporation upon the compensation which shall be made to it for such loss, damage or expense, and, when so directed by the board of estimate and apportionment, the comptroller of said city shall issue corporate stock of the city of New York in payment thereof. In the event of no agreement being reached between said board and such railroad corporation, the commissioners of appraisal appointed to estimate damages for land acquired in such county is hereby authorized and directed to pass upon such claim and to make awards therefor as provided in section thirteen of this act."

Page 16, line 23, strike out the word "apprised" and insert in place thereof the word "appraised."

Page 18, line 24, strike out the word "in" immediately following the word "all" and insert in lieu thereof the word "and."

Page 22, line 16, strike out the word "to" immediately following the word "serve" and insert in lieu thereof the word "or."

Same page, line 25, strike out the word "some" and insert in lieu thereof the word "same."

Page 33, line 6, strike out the word "rising" and insert in lieu thereof the word "raising."

Page 34, beginning with the word "as" in line 7, strike out down to and including the word "reservoir" in line 11, and in line 11, strike out the word "any."

Same page, line 14, strike out the words "as the same."

Page 36, line 11, strike out the word "amount" and insert in lieu thereof the word "quantity."

Same page, line 22, strike out the word "amount" and insert the word "quantity" in lieu thereof.

Same page, line 24, strike out the word "amount" and insert in lieu thereof the word "quantity."

Page 37, line 3, strike out the word "amount" and insert the word "quantity."

JAMES K. APGAR,

Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Patton, from the committee on canals, to which was referred the bill introduced by Mr. Patton, Int. No. 1124, entitled "An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants" (No. 1381), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Plank, from the committee on excise, to which was referred the bill introduced by Mr. Freidel, Int. No. 1129, entitled "An act to amend the Liquor Tax Law, in relation to the violation and the penalties for a violation of such law twice during the term of any one certificate" (No. 1386), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Plank, from the committee on excise, to which was referred the bill introduced by Mr. Freidel, Int. No. 1128, entitled "An act to amend the Liquor Tax Law, in relation to two violations of the law during term of one certificate" (No. 1385), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Bedell, Int. No. 1181, entitled "An act to amend the Forest, Fish and Game Law, relative to woodcock, grouse or quail in Orange county" (No. 1490),

reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Miller, Int. No. 994, entitled "An act to amend the Forest, Fish and Game Law in relation to the pollution of streams" (No. 1205), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Coutant, Int. No. 1295, entitled "An act to amend the Forest, Fish and Game Law, in relation to herring nets in Hudson and Delaware rivers and adjacent waters" (No. 1702), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Bedell, Int. No. 1087, entitled "An act to amend the Forest, Fish and Game Law, relative to selling woodcock, grouse and quail in Orange county" (No. 1338) reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Becker, Int. No. 778, entitled "An act to amend article 9 of chapter 20 of the Laws of 1900, by adding thereto sections 176-a, 176-b, 176-c, and 176-d, which added sections shall provide as follows" (No. 1566), reported in favor of the passage of the same with the following amendment:

Page 2, line 7, strike out the word "may" and insert the word "shall."

WILLIS A. REEVE,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was recommitted the bill introduced by Mr. Santee, Int. No. 737, entitled "An act to amend the Forest, Fish and Game Law, relative to appointing additional protectors" (No. 1411), retaining its place on the order of second reading, reported in favor of the passage of the same with the following amendments:

Page 1, line 8, after the word "sixty" insert the word "one."

Page 2, line 1, underscore the words "Sullivan," "Rensselaer;" after the word "Essex" strike out the word "Clinton;" after the word "Rensselaer" insert the word "Clinton."

Same page, line 3, strike out the word "eight" and insert the word "eleven."

Same page, line 5, strike out the word "eight" and insert the word "eleven."

WILLIS A. REEVE,

Chairman.

Which report was agreed to and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Hammond, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to amend the Greater New York charter, relative to the use of school buildings." (No. 1621, Int. No. 1142.)

"An act to amend the Greater New York charter, relative to the term of the mayor, comptroller, and borough presidents." (No. 1699, Int. No. 1046.)

"An act to legalize the issue of bonds of the town of Schroon in the county of Essex, authorized by the board of supervisors of said county for the purpose of defraying the expense of rebuilding a bridge over the Schroon river in said town, and to provide for the payment of the principal and interest thereof." (No. 1725, Rec. No. 176.)

"An act to amend the Military Code, relative to pay and allowances." (No. 1596, Int. No. 1241.)

"An act to amend section 254 of the Tax Law in relation to costs and disbursements in certiorari proceedings." (No. 1697, Int. No. 719.)

“An act to provide for annual reports by and the examination of accounts of counties, cities of the second and third classes and villages having a population of 3,000 or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities and making an appropriation therefor.” (No. 1696, Int. No. 809.)

“An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of Peter Pfeiffer, and Alma V. Pfeiffer and Clarence Pfeiffer, infants, against the State of New York for damages to their real property situate on the towing paths bank of the Erie canal at Durhamville, N. Y., alleged to have been caused by leakage of water from said canal.” (No. 1692, Int. No. 1054.)

“An act to amend chapter 388 of the Laws of 1854, entitled ‘An act to incorporate the village of Lyons,’ relating to disorderly persons and the jurisdiction of the police justice.” (No. 1436, Int. No. 1149.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the Senate bill (No. 1678) entitled “An act to amend the Code of Civil Procedure relative to the disclosure of information acquired by physicians and nurses tending to show the commission of crimes of which children under sixteen have been victims” (Rec. No. 117), reported the same with the following recommendations:

In second line of title, insert a comma after the word “procedure.”

Page 1, line 2, strike out the words “so as.”

Same page, line 3, after the word “physician” insert the words “or professional registered nurses.”

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1693) entitled “An act to amend the

State Finance Laws in relation to receipts and expenditures" (Int. No. 741), reported the same with the following recommendations:

In the second line of title, strike out the letter "s" in the word "laws" and insert a comma after the word "laws."

Page 1, line 3, change the word "finances" to "finance."

Same page, line 4, after the word "laws" insert a comma, and strike out the word "amended" and insert the word "added."

Same page, line 5, strike out the semicolon and insert a comma and the words "as amended by."

Same page, line 6, strike out the semicolon and insert a comma and the words "as amended by."

Same page, line 7, strike out the semicolon and insert a comma.

Page 2, line 1, before the word "chapter" insert the words "as amended by."

Same page, line 10, insert a comma after the word "month."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1588) entitled "An act to amend the Military Code relative to relief from civil or criminal liability, security for and award of costs" (Int. No. 1233), reported the same with the following recommendations:

In second line of title, insert a comma after the word "code."

Page 1, line 4, strike out the words "so as."

Page 2, line 6, strike out the words "instituting or prosecuting" and insert the words "prosecuting or instituting."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1688) entitled "An act to amend the Penal Code by adding thereto a new section to be known as section 415-b, in regard to life saving crews on ferry boats and excursion

boats" (Int. No. 562), reported the same with the following recommendations:

Amend the title to read as follows:

"An act to amend the penal code, relative to life saving crews on ferry boats and excursion boats."

Page 1, line 2, after the word "fifteen-b" insert the words "and to read."

Page 2, line 6, strike out the word "will" and insert the word "shall."

Same page, line 14, add the letter "s" to syllables "vision."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1730) entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' in relation to the location of tracks of street surface railroads" (Int. No. 966), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-seven" insert the words "entitled 'An act to incorporate the city of Geneva.'"

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

"An act to amend chapter 206 of the Laws of 1902, entitled 'An act in relation to the removal of the remains of deceased soldiers from potter's field and neglected or abandoned cemeteries to incorporated cemeteries which are properly cared for and to provide for a soldiers' plot in such cemeteries and to defray the expenses of obtaining plots and for the removals and reinterment of the remains of deceased soldiers and to provide for the annual

care of soldiers' plots in cemeteries,' providing for the payment of certain expenses by the county." (No. 1701, Int. No. 334.)

"An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' relative to the salary of deputy receiver of taxes." (No. 1723, Int. No. 823.)

"An act to amend the State Charities Law, by providing for the management of the New York State Training School for Boys, and the commitment thereto of boys under the age of sixteen years." (No. 1724, Int. No. 1173.)

"An act to amend the charter of the city of Hudson, generally." (No. 1646, Int. No. 881.)

"An act to amend the Greater New York charter, relative to the certification of public records by the comptroller." (No. 1717, Int. No. 1116.)

"An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relative to commissioner of charities and correction." (No. 1719, Int. No. 1151.)

"An act to amend the Greater New York charter, in relation to entry of order of commissioners of estimate." (No. 1720, Int. No. 1193.)

"An act to amend chapter 858 of the Laws of 1867, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Onondaga,' relative to the time of filing statement of unpaid taxes by the county treasurer of Onondaga county." (No. 1716, Int. No. 968.)

"An act to amend the Highway Law, relative to extraordinary repairs of highways or bridges." (No. 1715, Int. No. 403.)

"An act to amend chapter 667 of the Laws of 1868, entitled 'An act to enable Conrad Poppenhusen to found an institution in the village of College Point.'" (No. 1721, Int. No. 318.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in

relation to the salaries of the record clerks of the court of general sessions." (No. 1722, Int. No. 461.)

"An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues approaching the bridge over Prospect avenue at Seeley street, borough of Brooklyn, in the city of New York." (No. 1718, Int. No. 940.)

"An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' relating to the disposition of the tax paid in such city by agents or foreign fire insurance corporations." (No. 1714, Int. No. 981.)

"An act to repeal chapter 20 of the Laws of 1894, entitled 'An act to provide for the better administration of justice in the town of Mohawk, in the county of Montgomery, and State of New York,' as amended." (No. 1123, Int. No. 937.)

"An act to release to Martha A. Waterman, widow of John S. Waterman, deceased, all the right, title and interest of the people of the State of New York, in and to certain real estate situated in the borough of Brooklyn, county of Kings, city and State of New York, acquired by escheat or otherwise, upon the death of the said John S. Waterman." (No. 1339, Int. No. 1088.)

"An act to amend the Code of Criminal Procedure, relative to support of bastards." (No. 1348, Int. No. 1097.)

"An act for the relief of Thomas Conley." (No. 1388, Int. No. 1131.)

"An act to amend the Code of Civil Procedure, relative to the partition and sale of real property of incompetents." (No. 1230, Int. No. 1020.)

"An act to reappropriate certain unexpended balances of former appropriations." (No. 1383, Int. No. 1126.)

"An act to authorize the city of Elmira to issue its bonds for the construction of a bridge or the reconstructing and repairing of an existing bridge across the Chemung river in the city of Elmira." (No. 1623, Int. No. 1045.)

"An act to enable the towns constituting the county of Nassau to fix and pay an annual compensation to certain town officers

therein in addition to the disbursements of said town officers in the performance of their duties." (No. 1538, Int. No. 1204.)

"An act to amend the Code of Civil Procedure, in relation to the evidence and damages in actions for libel." (No. 1676, Int. No. 942.)

"An act to repeal article 4 of the Navigation Law relating to the port of Albany." (No. 1108, Int. No. 926.)

"An act to release to Bridget McDonough the right, title and interest of the people of the State of New York acquired by escheat, in and to certain real estate situate in the city of Schenectady." (No. 1378, Int. No. 1119.)

"An act to amend the Forest, Fish and Game Law, relative to fishing through the ice in the waters of Cross lake, Cayuga county." (No. 1362, Int. No. 1103.)

"An act providing for the assessment of certain lands in the county of Ulster." (No. 1635, Int. No. 752.)

"An act to amend the Lien Law, relative to conditional sales of ensilage cutters, feed cutters, cash registers." (No. 1110, Int. No. 928.)

"An act to amend the Lien Law, relative to liens of apartment hotel keepers." (No. 1438, Int. No. 1152.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Frances Turzkowska against the State of New York for damages alleged to have been sustained by her on the State Reservation at Niagara on or about the 5th day of July, 1903." (No. 1572, Int. No. 729.)

"An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to the jurisdiction of the police court and police justice." (No. 1690, Int. No. 693.)

"An act to prohibit the assignment of wages to become due in the future." (No. 104, Int. No. 104.)

"An act to amend the Benevolent Orders Law, relative to power of trustees to issue bonds." (No. 933, Int. No. 804.)

"An act to amend the Penal Code, in relation to adultery." (No. 1422, Int. No. 785.)

Mr. Speaker announced the special order, being the bill (No. 501) entitled "An act to amend the Domestic Relations Law, in relation to the liability of married women for necessities." (Int. No. 471.)

On motion of Mr. F. C. Wood, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 35

NOES 50

Those who voted in the affirmative were:

Allen F E	Dale	Knapp	Scovill	Thonet
Allen J G	Dowling	Maier	Smith A P	Waddell
Beihilf	Fitzsimons	McKeown	Smith A E	Whitney F G
Brooks	Grady	Patton	Smith J T	Wiegand
Coutant	Grattan	Plank	Standart	Wilsnack
Cox	Hastings	Pratt	Stanley	Wood F C
Cunningham	Hooper	Rigby	Tenjest	Young

Those who voted in the negative were:

Anderson	Carrier	Hooker	Phillips	Smith J E
Bass	Charles W B	La Fetra	Prince	Smith R H
Becker	Cooke	La Rue	Reeve	Thompson G F
Bedell	Coon	Malloy	Reilly	Tompkins
Beebe	Cotton	Mathews T F	Rogers	Wade
Bird	Foelker	Merritt	Rosenstein	Wagner
Burnett	Hackett	Ogden	Salomon	Wadsworth
Cadin	Hammond	Palmer	Santee	West
Cahn	Hanford	Pendry	Sheldon	Wilson
Callahan	Hartman	Perry	Shuttleworth	Wood F X

Mr. F. C. Wood moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Rogers moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Agnew	Coutant	Hooker	Phillips	Steele
Allen F E	Cox	Hooper	Plank	Stevens
Allen J G	Cunningham	Hurd	Platt	Sullivan
Anderson	Dale	Kavanaugh	Pratt	Tenjost
Apgar	Dodd	Knapp	Prentice	Thompson G F
Bass	Donovan	La Fetra	Prince	Thompson J A
Becker	Dowling	La Rue	Quinn	Thonet
Bedell	Ellis	Lewis	Rigby	Tompkins
Beebe	Etzel	Maier	Rogers	Waddell
Beihlf	Evans	Malloy	Rosenstein	Wade
Bird	Fish	Mathews T F	Sammon	Wagner
Bisland	Fitzsimons	Matthews C R	Santee	Wadsworth
Brady	Foelker	McManus	Schoeneck	Wainwright
Brooks	Foster	Mead	Scovill	Wedemeyer
Burnett	Francisco	Miller	Sheldon	West
Burns	Freidel	Monroe	Sherry	Wemple
Burzynski	Fuller	Moreland	Shuttleworth	Whitney F G
Byrne	Gardner	Murphy	Slocum	Whitney G H
Cadin	Gates	Newton	Smith A P	Wiegand
Callahan	Grattan	Nugent	Smith A E	Wilsnack
Carrier	Hackett	Ogden	Smith J E	Wilson
Charles E E	Hammond	O'Neill	Smith J T	Wood F C
Charles W B	Hanford	Palmer	Smith R H	Wood F X
Cooke	Hapeman	Patton	Standart	Yale
Coon	Hartman	Pendry	Stanley	Young
Cotton	Hastings	Perry		

Mr. Rogers moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 306) entitled "An act to amend chapter 905 of the Laws of 1896, entitled 'An act to incorporate the city of Watervliet,' generally." (Int. No. 289.)

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor of the city of Watervliet thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

AYES 94

NOES 42

Those who voted in the affirmative were:

Agnew	Cotton	Hastings	Perry	Steele
Allen F E	Coutant	Hooker	Phillips	Stevens
Allen J G	Cox	Hooper	Plank	Tenjest
Apgar	Cunningham	Hurd	Platt	Thompson G F
Bass	Dowling	Knapp	Pratt	Thonet
Becker	Etzel	La Rue	Prentice	Waddell
Bedell	Evans	Lewis	Rigby	Wade
Beebe	Fish	Maier	Rogers	Wadsworth
Beihlf	Foelker	Matthews C R	Santee	Wainwright
Bisland	Foster	Mead	Schoeneck	West
Brady	Francisco	Miller	Scovill	Wemple
Brooks	Freidel	Monroe	Sheldon	Whitney G H
Burnett	Gardner	Moreland	Shuttleworth	Wilsnack
Cadin	Gates	Murphy	Slocum	Wilson
Callahan	Grattan	Newton	Smith A P	Wood F C
Carrier	Hammond	Ogden	Smith J E	Wood F X
Charles E E	Hanford	O'Neill	Smith J T	Yale
Charles W B	Hapeman	Patton	Standart	Young
Coon	Hartman	Pendry	Stanley	

Those who voted in the negative were:

Anderson	Dodd	Kavanaugh	Prince	Smith A E
Bird	Donovan	La Fetra	Quinn	Smith R H
Burns	Ellis	Malloy	Reilly	Thompson J A
Burzynski	Fitzsimons	Mathews T F	Rosenstein	Tompkins
Byrne	Fuller	McKeown	Salomon	Wagner
Cahn	Grady	McManus	Sammon	Wedemeyer
Caughlan	Gurnett	Nugent	Shanahan	Wiegand
Cooke	Hackett	Palmer	Sherry	Wolf
Dale	Hornidge			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 505, Assembly reprint No. 1678) entitled "An act to amend the Code of Civil Procedure relative to the disclosure of information acquired by physicians and nurses tending to show the commission of crimes of which children under sixteen have been victims" (Rec. No. 117), was read the second time.

On motion of Mr. G. H. Whitney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1436) entitled "An act to amend chapter 388 of the Laws of 1854, entitled 'An act to incorporate the village of Lyons,' relating to disorderly persons and the jurisdiction of the police justice" (Int. No. 1149), was read the second time.

On motion of Mr. A. P. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1692) entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of Peter Pfeiffer, and Alma V. Pfeiffer and Clarence Pfeiffer, infants, against the State of New York for damages to their real property situate on the towing paths bank of the Erie canal at Durhamville, N. Y., alleged to have been caused by leakage of water from said canal" (Int. No. 1054), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1693) entitled "An act to amend the State Finance Laws in relation to receipts and expenditures" (Int. No. 741), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1694) entitled "An act to amend the Penal Code in relation to crimes against the elective franchises" (Int. No. 775), having been announced for a second reading,

Mr. Prentice moved to amend as follows:

Page 1, before line 1, insert the following:

"Section 1. Subdivision two of section forty-one of the penal code is hereby amended to read as follows:

"2. Votes, or offers to vote, at a political caucus, or a primary election of a party, having voted at the political caucus or primary election of any other political party on the same day, or being at the time enrolled in a party other than the party at whose primary he votes or offers to vote; or who causes his name to be placed upon the rolls of a party organization of one party while his name is by his consent or procurement upon the rolls of a party organization of another party; or"

Same page, line 1, strike out "Section 1" and insert "§ 2," and change numbers of remaining sections to correspond.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. Prentice, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 1696) entitled "An act to provide for annual reports by and the examination of accounts of counties, cities of the second and third classes and villages having a population of 3,000 or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities and making an appropriation therefor" (Int. No. 809), was read the second time.

On motion of Mr. Wadsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1697) entitled "An act to amend section 254 of the Tax Law in relation to costs and disbursements in certiorari proceedings" (Int. No. 719), was read the second time.

On motion of Mr. Wade, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1699) entitled "An act to amend the Greater New York charter, relative to the term of the mayor, comptroller, and borough presidents" (Int. No. 1046), was read the second time.

On motion of Mr. Agnew, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 328, Assembly reprint No. 1725) entitled "An act to legalize the issue of bonds of the town of Schroon in the county of Essex, authorized by the board of supervisors of said county for the purpose of defraying the expense of rebuilding a bridge over the Schroon river in said town, and to provide for the payment of the principal and interest thereof" (Rec. No. 176), was read the second time.

On motion of Mr. Hooper, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1731) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 128), having been announced for a second reading,

On motion of Mr. Burnett, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1588) entitled "An act to amend the Military Code relative to relief from civil or criminal liability, security for and award of costs" (Int. No. 1233), was read the second time.

On motion of Mr. Kavanaugh, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1596) entitled "An act to amend the Military Code, relative to pay and allowances" (Int. No. 1241), was read the second time.

On motion of Mr. Malloy, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Cox in the chair.

Mr. Patton moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Agnew	Dale	Hurd	Patton	Stanley
Allen F E	Donovan	Knapp	Phillips	Steele
Allen J G	Ellis	La Fetra	Plank	Stevens
Anderson	Etzel	La Rue	Platt	Sullivan
Apgar	Evans	Leggett	Prentice	Tenjust
Bass	Fish	Lewis	Quinn	Thompson G F
Bedell	Fitzsimons	Maier	Reeve	Thonet
Beebe	Foelker	Malloy	Reilly	Wade
Beihlf	Foster	Mathews T F	Rigby	Wagner
Brady	Francisco	Matthews C R	Rogers	Wadsworth
Brooks	Freidel	McKeown	Salomon	Wainwright
Burnett	Fuller	McManus	Santee	Wedemeyer
Burns	Gardner	Merritt	Schoeneck	West
Burzynski	Gates	Miller	Scovill	Wemple
Callahan	Grady	Monroe	Sheldon	Whitney F G
Caughlan	Grattan	Moreland	Sherry	Whitney G H
Charles E E	Hammond	Murphy	Shuttleworth	Wiegand
Charles W B	Hanford	Newton	Slocum	Wilsnack
Cooke	Hartman	Nugent	Smith A P	Wolf
Coon	Hastings	Ogden	Smith A E	Wood F X
Cotton	Hooker	O'Neill	Smith J E	Yale
Cox	Hornidge	Palmer	Smith J T	Young
Cunningham	Hubbs	Parker	Standart	

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Mr.

Tompkins, who, upon giving satisfactory explanation for being absent, was excused.

Mr. Rogers moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1330) entitled "An act to revise the several acts relative to the city of Tonawanda" (Int. No. 781), having been announced for a third reading,

Mr. Palmer moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 71, strike out all of line 19 after the word "thereof," and line 1 on page 2, and line 2 on page 2, up to and including the word "injury."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 49

NOES 71

Those who voted in the affirmative were:

Anderson	Dowling	Hornidge	Plank	Sullivan
Becker	Ellis	La Fetra	Reilly	Thonet
Beebe	Fitzsimons	Malloy	Rigby	Tompkins
Burns	Foelker	Mathews T F	Rosenstein	Wade
Cahn	Fuller	McKeown	Sammon	Wagner
Caughlan	Gurnett	McManus	Shanahan	Wedemeyer
Charles E E	Hackett	Nugent	Sheldon	Wiegand
Charles W B	Hammond	O'Neill	Sherry	Wolf
Cooke	Hooker	Palmer	Slocum	Wood F C
Dale	Hooper	Phillips	Smith R H	

Those who voted in the negative were:

Agnew	Cunningham	Hastings	Ogden	Stanley
Allen F E	Etsel	Hubbs	Parker	Stevens
Allen J G	Evans	Hurd	Patton	Tenlost
Bass	Fish	Knapp	Platt	Thompson G F
Bedell	Foster	La Rue	Prentice	Wadsworth
Beihlf	Francisco	Leggett	Reeve	Wainwright
Bisland	Freidel	Lewis	Rogers	West
Brady	Gardner	Maier	Santee	Wemple
Brooks	Gates	Matthews C R	Scovill	Whitney F G
Burnett	Grady	Merritt	Shuttleworth	Whitney G H
Cadin	Grattan	Monroe	Smith A P	Wilsnack
Callahan	Gray	Moreland	Smith J E	Wood F X
Coon	Hanford	Murphy	Smith J T	Yale
Cotton	Hartman	Newton	Standart	Young
Cox				

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 80

NOES 35

Those who voted in the affirmative were:

Agnew	Donovan	Hooker	Ogden	Standart
Allen F E	Dowling	Hooper	Parker	Sheehy
Bass	Etzell	Hubbs	Patton	Stevens
Bedell	Evans	Hurd	Platt	Tenjust
Beebe	Fish	Knapp	Prentice	Thonet
Beihilf	Fitzsimons	La Rue	Quinn	Wadsworth
Brady	Foster	Leggett	Reeve	Wainwright
Brooks	Freidel	Lewis	Rogers	West
Burnett	Gardner	Maier	Santee	Wemple
Cadin	Gates	Mathews T F	Schoeneck	Whitney F G
Callahan	Grattan	Matthews C R	Scovill	Whitney G H
Coon	Gray	Merritt	Shuttleworth	Wilsnack
Cotton	Hammond	Monroe	Smith A P	Wilson
Cox	Hanford	Moreland	Smith A E	Wood F X
Cunningham	Hartman	Murphy	Smith J F	Yale
Dale	Hastings	Newton	Smith J T	Young

Those who voted in the negative were:

Allen J G	Cooke	La Fetra	Rigby	Smith R H
Anderson	Ellis	Malloy	Rosenstein	Tompkins
Becker	Francisco	McManus	Sammon	Wade
Cahn	Fuller	Palmer	Salomon	Wagner
Caughlan	Grady	Phillips	Shanahan	Wedemeyer
Charles E E	Gurnett	Plank	Sherry	Wolf
Charles W B	Hackett	Reilly	Slocum	Wood F C

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1273) entitled "An act to amend the Railroad Law, in relation to the inspection of locomotive boilers" (Int. No. 1030), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 148

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perham	Standart
Allen J G	Dale	Hubbs	Perry	Stanley
Anderson	Dodd	Hurd	Phillips	Steele
Apgar	Donovan	Kavanaugh	Plank	Stevens
Bass	Dowling	Knapp	Platt	Sullivan
Becker	Ellis	La Fetra	Pratt	Tenjost
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihilf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoeneck	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1416) entitled "An act to amend section 727 of the Greater New York charter, relative to the power of the fire commissioner" (Int. No. 666), having been announced for a third reading,

Mr. McManus moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 20, after the word "Brooklyn" and period insert the words "Another bureau shall be charged with the investigation of violations and auxiliary fire appliances, officers of which

shall be called deputy inspectors of violations and auxiliary fire appliances, and shall rank as assistant foremen, with the same pay, tenure of office, emoluments and benefits."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. R. H. Smith moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Add after line 23, page 2, the words "He shall also appoint a secretary of the pension fund who shall have the tenure of office, pay, emoluments, benefits and rank of a battalion chief of the department, also a cashier of the bureau of combustibles who shall have the tenure of office, pay, emoluments, benefits and rank of a foreman of the department."

Strike out the word "immediately" on line 24, page 2, and add the words "September first, nineteen hundred and five."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1474) entitled "An act to amend the Public Health Law, in relation to the sale of wood alcohol" (Int. No. 400), having been announced for a third reading,

On motion of Mr. E. E. Charles, said bill was recommitted to the committee on public health, retaining its place on the order of third reading.

The bill (No. 1400) entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' in relation to claims for damages arising from defective streets, sidewalks, etc." (Int. No. 840), having been announced for a third reading,

On motion of Mr. Moreland, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1405) entitled "An act to authorize the board of estimate and apportionment of the city of New York to audit and

allow a sheriff of the county of New York such legal expenses as he may be put to, not exceeding \$5,000 per annum, for three years after the expiration of his term of office" (Int. No. 76), having been announced for a third reading,

On motion of Mr. Young, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 663) entitled "An act to amend the Banking Law, prohibiting use of the word 'savings,' except by savings banks and building and loan associations" (Int. No. 597), having been announced for a third reading,

On motion of Mr. A. E. Smith, said bill was recommitted to the committee on banks, retaining its place on the order of third reading.

The bill (No. 1453) entitled "An act to authorize the acceptance by this State of gifts, bequests, and assignments of the bonds, warrants, choses in action, or other obligations of any other State and to enforce the collection thereof" (Int. No. 1167), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	Parker	Smith J T
Allen F E	Cowan	Hooker	Pendry	Smith R H
Allen J G	Cox	Hooper	Perry	Stanley
Anderson	Cunningham	Hubbs	Phillips	Steele
Apgar	Dale	Hurd	Plank	Stevens
Bass	Dodd	Kavanaugh	Platt	Sullivan
Becker	Donovan	La Fetra	Pratt	Tenjost
Bedell	Dowling	La Rue	Prentice	Thompson G F
Beebe	Ellis	Leggett	Prince	Thonet
Beihilf	Etzel	Lewis	Quinn	Tompkins
Bird	Evans	Maier	Reeve	Waddell
Bisland	Fish	Malloy	Rigby	Wade

Brady	Fitzsimons	Mathews T F	Rogers	Wagner
Brooks	Foelker	Matthews C R	Rosenstein	Wadsworth
Burnett	Foster	McKeown	Salomon	Wainwright
Burns	Francisco	McManus	Sammon	Wedemeyer
Burzynski	Fuller	Mead	Schoeneck	West
Byrne	Gardner	Merritt	Scovill	Whitney F G
Cahn	Grady	Miller	Shanahan	Whitney G H
Callahan	Grattan	Monroe	Sheehy	Wiegand
Carrier	Gray	Moreland	Sheldon	Wilsnack
Caughlan	Gurnett	Murphy	Sherry	Wolf
Charles E E	Hackett	Newton	Shuttleworth	Wood F C
Charles W B	Hammond	Nugent	Smith A P	Wood F X
Cooke	Hanford	Ogden	Smith A E	Yale
Coon	Hapeman	O'Neill	Smith J E	Young
Cotton	Hartman	Palmer		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1467) entitled "An act to amend the Code of Civil Procedure, in relation to advancements" (Int. No. 657), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

Mr. Speaker in the chair.

The bill (No. 1586) entitled "An act to amend the Drainage Law, in relation to new assessments of water commissioners for expenses of repairs or enlargement" (Int. No. 468), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hanford	Newton	Sherry
Allen F E	Coutant	Hapeman	Nugent	Shuttleworth
Allen J G	Cowan	Hartman	Ogden	Smith A P
Anderson	Cox	Hastings	O'Neill	Smith A E
Apgar	Cunningham	Hooper	Parker	Smith J E
Bass	Dale	Hornidge	Patton	Smith J T

Becker	Dodd	Hubbs	Pendry	Smith R H
Bedell	Donovan	Hurd	Perham	Stanley
Beebe	Dowling	Kavanaugh	Perry	Steele
Beihlf	Ellis	La Fetra	Phillips	Sullivan
Bisland	Etzel	La Rue	Plank	Tenjost
Brady	Evans	Leggett	Platt	Thompson J A
Brooks	Everett	Lewis	Pratt	Thonet
Burnett	Fish	Machacek	Prentice	Waddell
Burns	Fitzsimons	Maier	Prince	Wade
Burzynski	Foelker	Malloy	Quinn	Wadsworth
Byrne	Foster	Mathews T F	Reeve	Wainwright
Cadin	Francisco	Matthews C R	Reilly	West
Cahn	Freidel	McKeown	Rogers	Wemple
Callahan	Fuller	McManus	Rosenstein	Whitney G H
Carrier	Gates	Mead	Salomon	Wiegand
Caughlan	Grady	Merritt	Sammon	Wilsnack
Charles E E	Grattan	Miller	Schoeneck	Wolf
Charles W B	Gray	Monroe	Scovill	Wood F C
Cooke	Gurnett	Moreland	Sheehy	Wood F X
Coon	Hackett	Murphy	Sheldon	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1642) entitled "An act to amend the Code of Civil Procedure, relating to foreclosure of mortgages and disposition of the surplus proceeds of sale" (Int. No. 904), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hastings	Parker	Smith R H
Allen F E	Coutant	Hooker	Patton	Standart
Allen J G	Cowan	Hooper	Pendry	Stanley
Anderson	Cox	Hornidge	Perry	Steele
Apgar	Cunningham	Hubbs	Phillips	Stevens
Bass	Dale	Hurd	Plank	Sullivan
Becker	Dodd	Kavanaugh	Platt	Thompson G F
Bedell	Donovan	La Fetra	Prentice	Thompson J A
Beebe	Ellis	La Rue	Prince	Thonet
Beihlf	Etzel	Leggett	Reeve	Tompkins
Bird	Evans	Lewis	Reilly	Waddell
Bisland	Everett	Machacek	Rogers	Wade
Brady	Fish	Maier	Rosenstein	Wagner
Brooks	Fitzsimons	Malloy	Salomon	Wadsworth
Burnett	Foelker	Mathews T F	Sammon	Wainwright

Burns	Foster	Matthews C R	Santee	Wedemeyer
Burzynski	Francisco	McKeown	Schoeneck	West
Byrne	Freidel	McManus	Scovill	Wemple
Cadin	Fuller	Mead	Shanahan	Whitney G H
Cahn	Gates	Merritt	Sheehy	Wiegand
Callahan	Grady	Miller	Sheldon	Wilsnack
Carrier	Grattan	Monroe	Sherry	Wilson
Caughlan	Gurnett	Moreland	Shuttleworth	Wolf
Charles E E	Hackett	Newton	Smith A P	Wood F C
Charles W B	Hammond	Nugent	Smith A E	Wood F X
Cooke	Hanford	Ogden	Smith J E	Yale
Coon	Hartman	O'Neill	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1644) entitled "An act to amend the Banking Law, in relation to the impairment of capital and making assessment to make good such impairment" (Int. No. 523), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hastings	Parker	Smith J T
Allen F E	Cox	Hooper	Patton	Smith R H
Allen J G	Cunningham	Hornidge	Pendry	Standart
Anderson	Dale	Hubbs	Perham	Stanley
Apgar	Dodd	Kavanaugh	Perry	Stevens
Becker	Donovan	Knapp	Phillips	Sullivan
Beebe	Dowling	La Fetra	Plank	Tenjest
Beihilf	Ellis	Leggett	Platt	Thompson G F
Bird	Etsel	Lewis	Pratt	Thonet
Bisland	Evans	Machacek	Prince	Tompkins
Brady	Everett	Maier	Quinn	Waddell
Brooks	Fish	Malloy	Reilly	Wagner
Burnett	Fitzsimons	Matthews C R	Rigby	Wadsworth
Burzynski	Foster	McKeown	Rosenstein	Wedemeyer
Byrne	Francisco	McManus	Sammon	Wemple
Cadin	Freidel	Mead	Santee	Whitney F G
Cahn	Fuller	Merritt	Schoeneck	Whitney G H
Callahan	Gates	Miller	Shanahan	Wiegand
Carrier	Grady	Monroe	Sheehy	Wilsnack
Caughlan	Gray	Moreland	Sheldon	Wilson
Charles E E	Gurnett	Murphy	Sherry	Wolf
Cooke	Hackett	Newton	Shuttleworth	Wood F X
Coon	Hanford	Nugent	Slocum	Yale
Cotton	Hapeman	O'Neill	Smith A P	Young
Coutant	Hartman	Palmer	Smith J E	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1640) entitled "An act to amend the Insurance Law, relative to charters of insurance corporations" (Int. No. 634), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hubbs	Perham	Smith R H
Allen F E	Cunningham	Hurd	Perry	Standart
Allen J G	Dale	Kavanaugh	Phillips	Stanley
Anderson	Dodd	Knapp	Plank	Steele
Apgar	Donovan	La Fetra	Platt	Sullivan
Bass	Dowling	La Rue	Pratt	Tenjust
Becker	Ellis	Leggett	Prince	Thompson G F
Bedell	Evans	Lewis	Quinn	Thompson J A
Beihliff	Everett	Machacek	Reeve	Thonet
Bird	Fish	Malloy	Rigby	Tompkins
Brady	Foelker	Mathews T F	Rogers	Wade
Brooks	Foster	Matthews C R	Rosenstein	Wagner
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Gates	Miller	Scovill	Wemple
Cahn	Grattan	Monroe	Shanahan	Whitney F G
Callahan	Gray	Moreland	Sheehy	Whitney G H
Caughlan	Gurnett	Murphy	Sheldon	Wiegand
Charles E E	Hackett	Newton	Sherry	Wilsnack
Charles W B	Hammond	Nugent	Shuttleworth	Wilson
Cooke	Hanford	O'Neill	Slocum	Wolf
Coon	Hapeman	Palmer	Smith A P	Wood F C
Cotton	Hastings	Parker	Smith A E	Wood F X
Coutant	Hooker	Patton	Smith J E	Yale
Cowan	Hornidge	Pendry	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1639) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' relating to the salaries of certain city officers" (Int.

No. 980), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hammond	Murphy	Slocum
Allen F E	Coutant	Hanford	Newton	Smith A P
Allen J G	Cowan	Hapeman	Nugent	Smith A E
Anderson	Cox	Hartman	Ogden	Smith J T
Apgar	Cunningham	Hooker	O'Neill	Smith R H
Bass	Dale	Hooper	Palmer	Standart
Becker	Dodd	Hornidge	Patton	Stanley
Bedell	Donovan	Hubbs	Pendry	Stevens
Beebe	Dowling	Hurd	Perry	Sullivan
Beihilf	Ellis	Kavanaugh	Plank	Thompson G F
Bird	Etsel	Knapp	Platt	Thompson J A
Bisland	Evans	La Fetra	Pratt	Thonet
Brady	Everett	La Rue	Prentice	Tompkins
Brooks	Fish	Leggett	Prince	Wade
Burnett	Fitzsimons	Lewis	Quinn	Wagner
Burns	Foelker	Machacek	Reilly	Wainwright
Burzynski	Foster	Maier	Rigby	Wedemeyer
Byrne	Francisco	Malloy	Rogers	West
Cadin	Freidel	Mathews T F	Salomon	Whitney F G
Cahn	Fuller	Matthews C R	Sammon	Whitney G H
Callahan	Gardner	McKeown	Schoeneck	Wilsnack
Carrier	Gates	McManus	Scovill	Wilson
Caughlan	Grady	Mead	Shanahan	Wolf
Charles E E	Grattan	Miller	Sheehy	Wood F X
Charles W B	Gurnett	Monroe	Sheldon	Yale
Clarke	Hackett	Moreland	Shuttleworth	Young
Coon				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 339, Assembly reprint No. 1638) entitled "An act to amend chapter 38 of the general laws, known as Insurance Law, being chapter 690 of the Laws of 1892, relative to town and county co-operative corporations" (Rec. No. 108) was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 142

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Patton	Standart
Allen F E	Cox	Hooper	Pendry	Stanley
Allen J G	Cunningham	Hornidge	Perry	Steele
Anderson	Dale	Hubbs	Phillips	Stevens
Apgar	Dodd	Hurd	Plank	Sullivan
Bass	Donovan	Kavanaugh	Platt	Tenjost
Becker	Dowling	Knapp	Pratt	Thompson G F
Bedell	Ellis	La Fetra	Prince	Thompson J A
Beebe	Etzel	La Rue	Quinn	Thonet
Beihlf	Evans	Leggett	Reeve	Tompkins
Bird	Everett	Lewis	Reilly	Waddell
Bisland	Fish	Maier	Rigby	Wade
Brady	Fitzsimons	Malloy	Rogers	Wagner
Brooks	Foelker	Mathews T F	Rosenstein	Wadsworth
Burnett	Foster	Matthews C R	Sammon	Wainwright
Burns	Francisco	McKeown	Santee	Wedemeyer
Burzynski	Freidel	McManus	Schoeneck	West
Byrne	Gardner	Mead	Scovill	Wemple
Cadin	Gates	Merritt	Shanahan	Whitney F G
Cahn	Grady	Miller	Sheldon	Whitney G H
Callahan	Grattan	Monroe	Sherry	Wiegand
Carrier	Gray	Moreland	Shuttleworth	Wilsnack
Caughlan	Gurnett	Murphy	Slocum	Wilson
Charles E E	Hackett	Newton	Smith A P	Wolf
Charles W B	Hammond	Nugent	Smith A E	Wood F C
Cooke	Hanford	Ogden	Smith J E	Wood F X
Coon	Hapeman	O'Neill	Smith J T	Yale
Cotton	Hartman	Palmer	Smith R H	Young
Coutant	Hastings			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The bill (No. 1577) entitled "An act empowering and authorizing the board of estimate and apportionment of the city of New York in their discretion to refund assessments made upon property for acquiring title to public park or place on the East river, known as East River park, bounded by Eighty-sixth street, East river and Avenue B" (Int. No. 841), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hartman	Ogden	Smith A P
Allen F E	Cunningham	Hastings	O'Neill	Smith A E
Allen J G	Dale	Hooker	Palmer	Smith J E
Anderson	Dodd	Hooper	Parker	Smith J T
Apgar	Donovan	Hubbs	Patton	Standart
Bass	Dowling	Hurd	Pendry	Stanley
Becker	Ellis	Kavanaugh	Perry	Steele
Bedell	Etzel	Knapp	Phillips	Stevens
Beebe	Evans	La Rue	Plank	Sullivan
Beihilf	Everett	Leggett	Platt	Tenjest
Bird	Fish	Lewis	Pratt	Thompson G F
Brady	Fitzsimons	Machacek	Prentice	Thonet
Brooks	Foelker	Maier	Prince	Tompkins
Burnett	Foster	Malloy	Reeve	Wade
Burns	Francisco	Mathews T F	Reilly	Wagner
Burzynski	Freidel	Matthews C R	Rigby	Wadsworth
Byrne	Fuller	McKeown	Rosenstein	Wainwright
Cadin	Gardner	McManus	Salomon	West
Cahn	Gates	Mead	Sammon	Wemple
Callahan	Grady	Merritt	Santee	Whitney G H
Caughlan	Grattan	Miller	Schoeneck	Wiegand
Charles E E	Gray	Monroe	Seovill	Wilson
Charles W B	Gurnett	Moreland	Shanahan	Wolf
Cooke	Hackett	Murphy	Sheldon	Wood F X
Coon	Hammond	Newton	Sherry	Yale
Cotton	Hanford	Nugent	Slocum	Young
Coutant	Hapeman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1630) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' so as to relieve the annual tax levy from the burden of collecting delinquent taxes, reimburse the city for advances against assessments, and to regulate and legalize tax notices" (Int. No. 960), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 146

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Patton	Smith J T
Allen F E	Cunningham	Hornidge	Pendry	Smith R H
Allen J G	Dale	Hubbs	Perry	Standart
Anderson	Dodd	Hurd	Phillips	Stanley
Apgar	Donovan	Kavanaugh	Plank	Steele
Bass	Dowling	Knapp	Platt	Stevens
Becker	Ellis	La Fetra	Pratt	Sullivan
Bedell	Etzel	La Rue	Prentice	Tenjost
Beebe	Evans	Leggett	Prince	Thompson G F
Beihlf	Everett	Lewis	Quinn	Thompson J A
Bird	Fish	Machacek	Reeve	Thonet
Bisland	Fitzsimons	Maier	Reilly	Tompkins
Brady	Foelker	Malloy	Rigby	Waddell
Brooks	Foster	Mathews T F	Rogers	Wade
Burnett	Francisco	Matthews C R	Rosenstein	Wagner
Burns	Freidel	McKeown	Salomon	Wainwright
Burzynski	Fuller	McManus	Sammon	Wedemeyer
Byrne	Gardner	Mead	Santee	West
Cadin	Grady	Merritt	Schoeneck	Wemple
Cahn	Grattan	Miller	Scovill	Whitney F G
Callahan	Gray	Monroe	Shanahan	Whitney G H
Carrier	Gurnett	Moreland	Sheehy	Wiegand
Caughlan	Hackett	Murphy	Sheldon	Wilsnack
Charles E E	Hammond	Newton	Sherry	Wilson
Charles W B	Hanford	Nugent	Shuttleworth	Wolf
Cooke	Hapeman	Ogden	Slocum	Wood F C
Coon	Hartman	O'Neill	Smith A P	Wood F X
Cotton	Hastings	Palmer	Smith A E	Yale
Coutant	Hooker	Parker	Smith J E	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1645) entitled "An act to amend the Code of Civil Procedure, in relation to the Supreme Court reporter" (Int. No. 125), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 146

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Parker	Smith J E
Allen F E	Cunningham	Hooper	Patton	Smith J T
Allen J G	Dale	Hornidge	Pendry	Smith R H
Anderson	Dodd	Hubbs	Perry	Standart
Apgar	Donovan	Hurd	Phillips	Stanley
Bass	Dowling	Kavanaugh	Plank	Steele
Becker	Ellis	Knapp	Platt	Stevens
Bedell	Etzel	La Fetra	Pratt	Tenjust
Beebe	Evans	La Rue	Prentice	Thompson G F
Beihlf	Everett	Leggett	Prince	Thompson J A
Bird	Fish	Lewis	Quinn	Thonet
Bisland	Fitzsimons	Machacek	Reeve	Waddell
Brady	Foelker	Maier	Reilly	Wade
Brooks	Foster	Malloy	Rigby	Wagner
Burnett	Francisco	Mathews T F	Rogers	Wadsworth
Burns	Freidel	Matthews C R	Rosenstein	Wainwright
Burzynski	Fuller	McKeown	Salomon	Wedemeyer
Byrne	Gardner	McManus	Sammon	West
Cadin	Gates	Mead	Santee	Wemple
Cahn	Grady	Merritt	Schoeneck	Whitney G F
Callahan	Grattan	Miller	Scovill	Whitney G H
Carrier	Gray	Monroe	Shanahan	Wiegand
Caughlan	Gurnett	Moreland	Sheehy	Wilsnack
Charles E E	Hackett	Murphy	Sheldon	Wilson
Charles W B	Hammond	Newton	Sherry	Wolf
Cooke	Hanford	Nugent	Shuttleworth	Wood F C
Coon	Hapeman	Ogden	Slocum	Wood F X
Cotton	Hartman	O'Neill	Smith A P	Yale
Coutant	Hastings	Palmer	Smith A E	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1580) entitled "An act to amend chapter 560 of the Laws of 1902, amending chapter 182 of the Laws of 1898, relative to the department of public instruction in cities of the second class" (Int. No. 1035), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 148

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjust
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihlf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoeneck	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1632) entitled "An act to amend the Consolidated School Law, relative to the employment of children, attendance officers, truant schools and the withholding of money by the Commissioner of Education" (Int. No. 742), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 148

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bird	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjost
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihilf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Rosenstein	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1633) entitled "An act to amend the State Charities Law, authorizing the transfer of inmates of state charitable institutions" (Int. No. 586), having been announced for a third reading,

On motion of Mr. Fish, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1629) entitled "An act to amend chapter 380 of the Laws of 1897, entitled 'An act to provide for boards of supervisors in counties wholly within the limits of a city, but not comprising the whole of such city, and defining the powers and duties thereof,' relative to designation of newspapers" (Int. No. 738), having been announced for a third reading,

On motion of Mr. Rogers, said bill was recommitted to the committee on general laws, retaining its place on the order of third reading.

The bill (No. 1130) entitled "An act to prevent the construction, operation and maintenance of any further railroads in the State road known as the Buffalo and Whites Corners plank road in Erie county" (Int. No. 944), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjust
Bedell	Etzel	Leggett	Prince	Thompson G F
Beebe	Evans	Lewis	Quinn	Thompson J A
Beihilf	Everett	Machacek	Reeve	Thonet
Bird	Fish	Maier	Reilly	Tompkins
Bisland	Fitzsimons	Malloy	Rigby	Waddell
Brady	Foelker	Mathews T F	Rogers	Wade
Brooks	Foster	Matthews C R	Rosenstein	Wagner
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Gates	Miller	Scovill	Wemple
Cahn	Grady	Monroe	Shanahan	Whitney F G
Callahan	Grattan	Moreland	Sheehy	Whitney G H
Carrier	Gray	Murphy	Sheldon	Wiegand
Caughlan	Gurnett	Newton	Sherry	Wilsnack
Charles E E	Hackett	Nugent	Shuttleworth	Wilson
Charles W B	Hammond	Ogden	Slocum	Wolf
Cooke	Hanford	O'Neill	Smith A P	Wood F C
Coon	Hapeman	Palmer	Smith A E	Wood F X
Cotton	Hartman	Parker	Smith J E	Yale
Coutant	Hastings	Patton	Smith J T	Young
Cowan	Hooker			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 389) entitled "An act to amend section 70-e of the Agricultural Law, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws'" (Rec. No. 96), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140

NOES 2

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Pendry	Smith R H
Allen F E	Cox	Hornidge	Perry	Standart
Allen J G	Cunningham	Hubbs	Phillips	Stanley
Anderson	Dale	Hurd	Plank	Steele
Apgar	Dodd	Kavanaugh	Platt	Stevens
Bass	Donovan	La Fetra	Pratt	Sullivan
Becker	Dowling	La Rue	Prentice	Tenjust
Beebe	Ellis	Leggett	Prince	Thompson G F
Beihilf	Etzell	Lewis	Quinn	Thompson J A
Bird	Evans	Maier	Reeve	Thonet
Bisland	Everett	Malloy	Reilly	Tompkins
Brady	Fish	Mathews T F	Rigby	Waddell
Brooks	Fitzsimons	Mathews C R	Rogers	Wade
Burnett	Foelker	McKeown	Rosenstein	Wadsworth
Burns	Foster	McManus	Salomon	Wainwright
Burzynski	Francisco	Mead	Sammon	Wedemeyer
Byrne	Freidel	Merritt	Santee	West
Cadin	Fuller	Miller	Schoeneck	Wemple
Cahn	Gardner	Monroe	Scovill	Whitney F G
Callahan	Gates	Moreland	Sheehy	Whitney G H
Carrier	Grady	Murphy	Sheldon	Wiegand
Caughlan	Grattan	Newton	Sherry	Wilsnack
Charles E E	Gurnett	Nugent	Shuttleworth	Wilson
Charles W B	Hackett	Ogden	Slocum	Wolf
Cooke	Hammond	O'Neill	Smith A P	Wood F C
Coon	Hanford	Palmer	Smith A E	Wood F X
Cotton	Hapeman	Parker	Smith J E	Yale
Coutant	Hooker	Patton	Smith J T	Young

Those who voted in the negative were:

Bedell Hastings

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 139) entitled "An act to amend the Penal Code in relation to the abandonment of children" (Rec. No. 119), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147

NOES 1

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Pendry	Smith R H
Allen F E	Dale	Hubbs	Perry	Standart
Allen J G	Dodd	Hurd	Phillips	Stanley
Anderson	Donovan	Kavanaugh	Plank	Steele
Apgar	Dowling	Knapp	Platt	Stevens
Bass	Ellis	La Fetra	Pratt	Sullivan
Becker	Etzel	La Rue	Prentice	Tenjost
Bedell	Evans	Leggett	Prince	Thompson G F
Beebe	Everett	Lewis	Quinn	Thompson J A
Beihlf	Fish	Machacek	Reeve	Thonet
Bird	Fitzsimons	Maier	Reilly	Tompkins
Bisland	Foelker	Malloy	Rigby	Waddell
Brady	Foster	Mathews T F	Rogers	Wade
Brooks	Francisco	Matthews C R	Rosenstein	Wagner
Burnett	Freidel	McKeown	Salomon	Wadsworth
Burns	Fuller	McManus	Sammon	Wainwright
Burzynski	Gardner	Mead	Santee	Wedemeyer
Byrne	Gates	Merritt	Schoeneck	West
Cadin	Grady	Miller	Scovill	Wemple
Callahan	Grattan	Monroe	Shanahan	Whitney F G
Carrier	Gray	Moreland	Sheehy	Whitney G H
Caughlan	Gurnett	Murphy	Sheldon	Wiegand
Charles E E	Hackett	Newton	Sherry	Wilsnack
Charles W B	Hammond	Nugent	Shuttleworth	Wilson
Cooke	Hanford	Ogden	Slocum	Wolf
Coon	Hapeman	O'Neill	Smith A P	Wood F C
Cotton	Hartman	Palmer	Smith A E	Wood F X
Coutant	Hastings	Parker	Smith J E	Yale
Cowan	Hooker	Patton	Smith J T	Young
Cox	Hooper			

In the negative:

Cahn

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Evans called up Assembly bill No. 1524, entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' relative to revising several sections of said charter" (Int. No. 948), heretofore laid aside on the order of third reading.

Mr. Evans moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 7, strike out all underscored matter, beginning on line 23, and strike out all underscored matter on page 8, from line 1 to line 13, inclusive.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed and the same was ordered reprinted and placed on the order of the third reading.

A message was received from the Senate, in the words following:

IN SENATE, *March 16, 1905.*

The mayor of the city of New York returned the Senate bill (No. 209, reprint No. 726) entitled "An act to amend the Greater New York charter, relative to the powers of the board of estimate and apportionment." (Rec. No. 75.)

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Carpenter, and by unanimous consent, the same was amended as follows:

Page 2, line 22, after the word "the" insert the words "determination or decision of said board as to the proportion of."

Said bill as amended was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Wainwright moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 148

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjust
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihilf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoeneck	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker	Patton		

Mr. Wainwright moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 148
NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjost
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihilf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoeneck	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker	Patton		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 454, entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues approaching the bridge over the Gowanus canal at Hamilton avenue, borough of Brooklyn, in the city of New York" (Int. No. 425), with a message that said mayor, after a public hearing thereon, does not approve said bill.

Mr. McKeown moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hartman	Nugent	Smith J E
Allen F E	Cowan	Hastings	Ogden	Smith J T
Allen J G	Cox	Hooker	Palmer	Standart
Anderson	Cunningham	Hooper	Parker	Stanley
Apgar	Dale	Hornidge	Patton	Steele
Bass	Dodd	Hubbs	Pendry	Stevens
Becker	Donovan	Hurd	Perry	Tenjost
Bedell	Dowling	Kavanaugh	Phillips	Thompson G F
Beebe	Ellis	Knapp	Plank	Thompson J A
Beihliff	Etzel	La Fetra	Platt	Thonet
Bird	Evans	La Rue	Pratt	Tompkins
Bisland	Everett	Leggett	Prentice	Waddell
Brady	Fish	Lewis	Prince	Wade
Brooks	Fitzsimons	Machacek	Quinn	Wagner
Burnett	Foelker	Maier	Reilly	Wadsworth
Burns	Foster	Malloy	Rigby	Wainwright
Burzynski	Freidel	Mathews T F	Rosenstein	Wedemeyer
Byrne	Fuller	Matthews C R	Salomon	Wemple
Cadin	Gardner	McKeown	Sammon	Whitney F G
Cahn	Gates	McManus	Santee	Whitney G H
Callahan	Grady	Mead	Schoeneck	Wiegand
Carrier	Grattan	Merritt	Shanahan	Wilson
Caughlan	Gray	Miller	Sheldon	Wolf
Charles E E	Gurnett	Monroe	Sherry	Wood F C
Charles W B	Hackett	Moreland	Shuttleworth	Wood F X
Cooke	Hammond	Murphy	Slocum	Yale
Coon	Hanford	Newton	Smith A P	Young
Cotton	Hapeman			

Mr. McKeown moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Section 2, line 3, strike out the words "special revenue bonds" and insert in lieu thereof the words "corporate stock of the city of New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Prentice offered for the consideration of the House a resolution, in the words following:

Resolved, That the Speaker of the Assembly appoint a committee of three members to arrange for a service to be held in the Assembly Chamber in memory of the Hon. Frederic E. Perham.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as said committee Messrs. Prentice, Moreland and Cahn.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return to the Senate of Senate bill No. 444, entitled "An act for the regulation of fares of electric railroads in the counties of Rensselaer and Albany, N. Y., and to provide for the issue of transfer tickets thereon" (Rec. No. 92), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 215, entitled "An act to provide for the payment of the claim of M. A. Dimond, executrix of the estate of John Dimond, deceased, for labor and materials furnished for grammar school No. 76, in the Nineteenth ward of the city of New York" (Int. No. 215), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The privileges of the floor were extended to Hon. George B. Richter and Judge Elba Reynolds.

Mr. Cowan was excused on account of sickness.

Mr. Gates presented protests of residents of Oneida county against the passage of the mortgage tax bill, which were referred to the committee on taxation and retrenchment.

On motion of Mr. Rogers, the House adjourned.

THURSDAY, MARCH 30, 1905.

The House met pursuant to adjournment.

Prayer by Rev. H. Douglas Spaeth.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the trustees of the Cooper Union for the Advancement of Science and Art, which was laid upon the table and ordered printed.

(See Document.)

The Senate sent for concurrence the following entitled bills:

“An act to authorize the expenditure by the city of New York of money for the proper celebration of Memorial day in the year 1905” (No. 942, Rec. No. 217), which was read the first time and referred to the committee on affairs of cities.

“An act to authorize the grant by the city of New York to the Spuyten Duyvil and Port Morris Railroad Company and to the New York Central and Hudson River Railroad Company, or either of them, of lands and lands under water lying between the southern boundary line of the land of the Spuyten Duyvil and Port Morris Railroad Company at East One Hundred and Forty-ninth street and the northerly boundary line of the city of New York, for railroad purposes” (No. 982, Rec. No. 218), which was read the first time and referred to the committee on affairs of cities.

Mr. Callahan introduced a bill entitled “An act to amend chapter 381 of the Laws of 1899, entitled ‘An act relating to attendants upon the Supreme Court and county court in and for the county of Monroe,’ in relation to the salary of such attendants” (Int. No.

1336), which was read the first time and referred to the committee on the judiciary.

Also, a bill entitled "An act providing for a pension for Michael Stroh, a former member of the State Militia, directing the Adjutant-General to place his name upon the roll of invalid pensioners of this State, and making an appropriation for the payment of such pension" (Int. No. 1337), which was read the first time and referred to the committee on military affairs.

Mr. Freidel introduced a bill entitled "An act in relation to the equalization of the salaries of attendants of the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department, and the court of general sessions of the peace in and for the county of New York" (Int. No. 1338), which was read the first time and referred to the committee on the judiciary.

Mr. Gates introduced a bill entitled "An act to establish a department of charities in the city of Utica" (Int. No. 1339), which was read the first time and referred to the committee on affairs of cities.

Mr. Hastings introduced a bill entitled "An act to provide for the registration of veterinary surgeons and practitioners, who failed to register prior to July 1, 1895" (Int. No. 1340), which was read the first time and referred to the committee on general laws.

Mr. Rigby introduced a bill entitled "An act to amend section 11 of title 6 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' as amended by chapter 241 of the Laws of 1899, as amended by chapter 477 of the Laws of 1903" (Int. No. 1341), which was read the first time and referred to the committee on affairs of cities.

Mr. A. E. Smith introduced a bill entitled "An act to amend the Greater New York charter in relation to buildings in the city of New York" (Int. No. 1342), which was read the first time and referred to the committee on affairs of cities.

Mr. R. H. Smith introduced a bill entitled "An act to amend chapter 672 of the Laws of 1897, entitled 'An act to amend chapter

410 of the Laws of 1882, entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,"' as amended by chapters 84 and 288 of the Laws of 1887, and by chapter 238 of the Laws of 1892, and by chapter 567 of the Laws of 1895, and otherwise so as to provide for the improvement of tenements and lodging houses" (Int. No. 1343), which was read the first time and referred to the committee on affairs of cities.

Mr. Stanley introduced a bill entitled "An act to amend chapter 676 of the Laws of 1898, entitled 'An act to create a metropolitan elections district; provide the appointment of a state superintendent therein. and to prescribe his powers and duties'" (Int. No. 1344), which was read the first time and referred to the committee on the judiciary.

Mr. Wainwright introduced a bill entitled "An act to amend the charter of the city of New Rochelle in relation to the powers and duties of the city engineer and the board of sewer commissioners of said city" (Int. No. 1345), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend chapter 673 of the Laws of 1904, entitled 'An act to provide for the erection of a suitable monument to commemorate the services of the Fifth Regiment New York State Volunteer Infantry (Duryee's Zouaves), who were engaged in the battle of second Bull Run or Manassas Plains, Virginia, and making an appropriation therefor'" (Int. No. 1346), which was read the first time and referred to the committee on ways and means.

Mr. Yale introduced a bill entitled "An act to prohibit bucket shops and bucket-shopping within this State." (Int. No. 1347), which was read the first time and referred to the committee on general laws.

Mr. Sherry introduced a bill entitled "An act to amend the Greater New York charter, in relation to the appointment of patrolmen" (Int. No. 1348), which was read the first time and referred to the committee on affairs of cities.

Mr. Santee introduced a bill entitled "An act to amend the State Charities Law in relation to the transfer of the duties of the treasurer to the agent of Craig Colony for Epileptics, and to reimbursement for maintenance of inmates of the colony" (Int. No. 1349), which was read the first time and referred to the committee on public institutions.

Mr. G. H. Whitney introduced a bill entitled "An act to appropriate money for the building of an elevated footbridge over the Champlain canal in the town of Waterford" (Int. No. 1350), which was read the first time and referred to the committee on ways and means.

Mr. Monroe introduced a bill entitled "An act to extend the time within which a railroad corporation shall commence the construction of its road, expend thereon ten per centum of its capital and finish its road and put the same in operation" (Int. No. 1351), which was read the first time and referred to the committee on railroads.

Mr. Brady introduced a bill entitled "An act to amend the County Law, relative to the salary of the county judge of Greene county" (Int. No. 1352), which was read the first time and referred to the committee on internal affairs.

Mr. Slocum introduced a bill entitled "An act to amend chapter 168 of the Laws of 1894 entitled 'An act in relation to the State dams on the Beaver and Moose rivers,' in relation to the commissioners appointed thereby" (Int. No. 1353), which was read the first time and referred to the committee on ways and means.

Mr. Palmer introduced a bill entitled "An act to release to Charles E. Coddington, all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the borough of Manhattan, city, county and State of New York" (Int. No. 1354), which was read the first time and referred to the committee on claims.

Mr. Bird introduced a bill entitled "An act to amend the Poor Law by requiring monthly reports from county superintendents of the poor, overseers of the poor and other officials, to the State board of charities with relation to children placed in family

homes" (Int. No. 1355), which was read the first time and referred to the committee on internal affairs.

Mr. Gates introduced a bill entitled "An act to amend chapter 441 of the Laws of 1899 entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Oneida county" (Int. No. 1356), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. La Rue introduced a bill entitled "An act relating to the liability of cities and villages for defective streets, highways and bridges" (Int. No. 1357), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Wade introduced a bill entitled "An act in relation to claims for damages arising from defective streets, sidewalks, etc., in townships, incorporate villages and cities" (Int. No. 1358), which was read the first time and referred to the committee on the judiciary.

Mr. Brooks introduced a bill entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace" (Int. No. 1359), which was read the first time and referred to the committee on codes.

Mr. Dale introduced a bill entitled "An act to repeal chapter 235 of the Laws of 1896, entitled 'An act to authorize the city of Brooklyn to establish and maintain a disciplinary training school for boys, and to authorize the commitment thereto by magistrates and courts of boys under the age of fourteen years who shall be vagrants or convicted of certain offenses in said city,' as amended by chapter 508 of the Laws of 1897" (Int. No. 1360), which was read the first time and referred to the committee on affairs of cities.

Mr. Prentice introduced a bill entitled "An act to incorporate Phipps Houses" (Int. No. 1361), which was read the first time and referred to the committee on the judiciary.

Mr. Mead introduced a bill entitled "An act to amend the

Penal Code, in relation to riding on cars " (Int. No. 1362), which was read the first time and referred to the committee on codes.

By unanimous consent,

Mr. Dowling introduced a bill entitled "An act to amend section 2510 of the Code of Civil Procedure in relation to the examination of the witnesses to wills " (Int. No. 1363), which was read the first time and referred to the committee on codes.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. F. G. Whitney, Int. No. 1235, entitled "An act to establish a law library in the Fifth Judicial District, to be known as the Robinson Memorial Library " (No. 1590), reported in favor of the passage of the same, with the following amendment :

Page 2, line 22, after the word " thereof " bracket out to and include the word " Oswego " on page 3, line 3.

ROBT. J. FISH,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Tompkins, Int. No. 1158, entitled "An act to amend the Penal Code in relation to defenses to prosecutions for larceny " (No. 1444), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Prentice, Int. No. 1186, entitled "An act to amend the Penal Code in relation to stamping or marking articles manufactured of gold or of any alloy of gold " (No. 1495), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Prentice, Int. No. 1177, entitled "An act to amend chapter 331 of the Laws of 1898, entitled 'An

act in relation to violations of the provisions of the Penal Code, relating to the manufacture or sale of spurious silverware,' by making the provisions thereof apply to the manufacture or sale of spurious goldware" (No. 1463), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Agnew, Int. No. 725, entitled "An act to amend the Penal Code in relation to the unlawful taking, copying or use of trade lists, lists of customers, subscribers, etc." (No. 824), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was re-committed the bill introduced by Mr. O'Neill, Int. No. 546, entitled "An act to amend the Code of Civil Procedure relative to the qualification of a referee" (No. 1679), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Hornidge, Int. No. 1144, entitled "An act to amend the Code of Civil Procedure with respect to the city court of the city of New York and providing for an additional stenographer for the special term of said court" (No. 1431), reported in favor of the passage of the same with the following amendments:

Page 1, line 7, strike out the words "six thousand dollars per annum" and insert in lieu thereof the words "fixed by said justices;" also, strike out the bracket.

Page 2, line 1, strike out the bracket; also, beginning with the word "the," strike out all down to and including the word "court" on line 6.

Same page, line 12, strike out the bracket.

Same page, line 13, after the word "court" insert the words "for trial term and one additional stenographer for special term."

Same page, line 14, strike out the bracket.

J. S. PHILLIPS,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. La Rue, Int. No. 1184, entitled "An act to amend sections 2358 and 2361 of the Code of Civil Procedure in relation to the sale, mortgaging or leasing of the contingent interest of infants not in being in real property" (No. 1493), reported in favor of the passage of the same with the following amendment:

Page 5, line 6, strike out the word "immediately" and insert the words "September first, nineteen hundred and five."

J. S. PHILLIPS,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Shanahan, Int. No. 1133, entitled "An act to amend chapter 676 of the Laws of 1892, entitled 'An act to amend the Railroad Law,' constituting chapter 39 of the general laws, relative to transfers between contracting corporations" (No. 1390), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 3, strike out all of lines 4 and 5 and insert the following:

"§ 2. In addition to the remedy herein provided, any citizen shall have the right to apply to the supreme court in the county in which the violation occurs for a writ of mandamus to compel compliance with the provisions hereof.

"§ 3. This act shall take effect July first, nineteen hundred and five.

LOUIS BEDELL,
Chairman.

Which report was agreed to and said bill ordered reprinted and recommitment to said committee.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Dale, Int. No. 946, entitled "An act to amend the Railroad Law relative to percentage of gross receipts to be paid by street surface railroads in cities or villages" (No. 1132), reported the same with the following amendments, and request that said bill be recommitment to said committee:

Page 2, line 4, after the word "first" insert the word "and" and underscore it.

Same page, line 4, after the word "second" strike out the words "or third."

LOUIS BEDELL,
Chairman.

Which report was agreed to and said bill ordered reprinted and recommitment to said committee.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. Sheldon, Int. No. 747, entitled "An act to prohibit the docking of horses' tails, and to require a registry of all docked horses now in this State" (No. 845), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. La Rue, Int. No. 1068, entitled "An act to repeal section 115 of the Lien Law, relating to the exemption of certain articles from the provisions of the Lien Law requiring the filing of contracts of conditional sale" (No. 1314), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. G. F. Thompson, Int. No. 1172, entitled "An act to amend chapter 152 of the Laws of 1899, entitled 'An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath

commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths,' in relation to the appointment of sidepath police " (No. 1458), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. Merritt, Int. No. 1157, entitled "An act to amend the Stock Corporations Law in relation to the sale of franchises and property of corporations in towns, villages and cities of the third class " (No. 1443), reported in favor of the passage of the same with the following amendments :

Page 2, line 1, after the words " cities of the third class " insert the words " and which are not in whole or in part situated in a county adjoining a city of the first class."

Same page, line 4, after the words " cities of the third class " insert the words " and which are not in whole or in part situated in a county adjoining a city of the first class."

Same page, line 6, after the words " cities of the third class " insert the words " and which are not in whole or in part situated in a county adjoining a city of the first class."

Same page, line 9, after the words " cities of the third class " insert the words " and which are not in whole or in part situated in a county adjoining a city of the first class."

Same page, line 13, after the words " or second class " insert the words " or in any town, village or city situated in whole or in part in a county adjoining a city of the first class."

Same page, line 15, after the words " or second class " insert the words " or in any town, village or city situated in whole or in part in a county adjoining a city of the first class."

EDWIN A. MERRITT,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Hooper, Int. No. 780, entitled "An act to amend the Village Law relating to the number of members of hose companies " (No. 892), reported in favor of

the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the bill introduced by Mr. G. H. Whitney, Int. No. 1217, entitled "An act to amend chapter 323 of the Laws of 1872, entitled 'An act authorizing the election of a receiver of taxes and assessments for the town and village of Saratoga Springs'" (No. 1555), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Reeve, Int. No. 1308, entitled "An act to authorize trustees of the village of Sag Harbor, Suffolk county, to construct and maintain a wharf in such village" (No. 1734), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was recommitted the bill introduced by Mr. Stevens, Int. No. 1150, entitled "An act to legalize, ratify and confirm a special election held in the village of Hoosick Falls, county of Rensselaer, for the purpose of voting upon a proposition submitted thereat for the purchase by such village of certain real property and the issuance of bonds for the payment of the purchase price thereof, and for the erection and equipment of a village building thereon" (No. 1437), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. L'Hommedieu, Rec. No. 194, entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' in relation to establishing or acquiring a system of water works for said village, and the issuance of bonds therefor" (No. 914), reported

in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 204, entitled "An act to amend chapter 506 of the Laws of 1902 entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village and to prescribe their powers and duties,' is hereby amended so as to read as follows" (No. 746), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Raines, Rec. No. 170, entitled "An act to validate the proceedings of the board of trustees, and of the qualified electors, of the village of Newark, relative to the submission and adoption of propositions to purchase the water works plant and system of the city water company of Newark, and to issue the bonds of said village to pay for the same, and to raise funds for the purpose of improving and extending said system, and to legalize the bonds to be issued for said purposes" (No. 783), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Fancher, Rec. No. 155, entitled "An act to legalize and provide for the payment of certain bonds of the village of Little Valley" (No. 798), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wainwright, from the committee on public education, to which was referred the bill introduced by Mr. Tompkins, Int. No. 1305, entitled "An act to prevent the emasculation of the National anthem, the Star Spangled Banner, in the text books in

use in the public schools of the State of New York " (No. 1712), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wainwright, from the committee on public education, to which was referred the bill introduced by Mr. Agnew, Int. No. 1047, entitled "An act to amend the Compulsory Education Law, regarding the powers and duties of truant officers " (No. 1293), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wainwright, from the committee on public education, to which was referred the bill introduced by Mr. Wade, Int. No. 1064, entitled "An act to amend section 6 of title 6 of the Consolidated School Law, relative to the alteration of school districts having a bonded indebtedness " (No. 1310), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wainwright, from the committee on public education, to which was referred the bill introduced by Mr. Rigby, Int. No. 1036, entitled "An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers ' " (No. 1278), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wainwright, from the committee on public education, to which was referred the bill introduced by Mr. Cunningham, Int. No. 631, entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 2 of the town of Wawarsing, Ulster county " (No. 711), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wainwright, from the committee on public education, to which was referred the bill introduced by Mr. La Rue, Int. No. 1270, entitled "An act to amend section 4, title 10 of chapter 556,

Laws of 1894, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction' as amended by section 5 of chapter 512, Laws of 1897" (No. 1651), reported in favor of the passage of the same, with the following amendment:

Insert the following:

"§ 2. This act shall take effect immediately."

J. M. WAINWRIGHT,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. J. T. Smith, from the committee on banks, to which was referred the bill introduced by Mr. T. F. Mathews, Int. No. 479, entitled "An act to amend the Banking Law, relative to loans upon the second or divided mortgage plan" (No. 521), reported in favor of the passage of the same with the following amendment:

Page 4, line 22, strike out the word "seventy" and insert the word "sixty."

J. T. SMITH,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. J. T. Smith, from the committee on banks, to which was referred the bill introduced by Mr. Plank, Int. No. 547, entitled "An act to amend the Banking Law, relative to security for loans made by co-operative savings and loan associations" (No. 598), reported in favor of the passage of the same with the following amendment:

Page 4, line 22, strike out the word "seventy" and insert the word "sixty."

J. T. SMITH,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. J. T. Smith, from the committee on banks, to which was referred the Senate bill introduced by Mr. Lewis, Rec. No. 113, entitled "An act to amend chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations'" (No. 545), reported in favor of the passage of the same with the following amendments:

Page 5, line 1, strike out the word "corporation" and insert the words "trust company."

Same page, line 5, insert after the word "business" the words "except that nothing herein contained shall prohibit or be construed to prohibit, any foreign trust company from investing money in real or personal securities in this State."

J. T. SMITH,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Yale, from the committee on labor and industries, to which was referred the bill introduced by Mr. Agnew, Int. No. 978, entitled "An act to amend the Labor Law relative to the evidence of age of minor employees in factories, mercantile and other establishments" (No. 1176), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Yale, from the committee on labor and industries, to which was referred the bill introduced by Mr. Agnew, Int. No. 977, entitled "An act to amend the Labor Law relative to the issuance of employment certificates for employees in factories and mercantile establishments" (No. 1175), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Sheldon, from the committee on public health, to which was referred the bill introduced by Mr. Platt, Int. No. 159, entitled "An act in relation to the sale of proprietary medicines" (No. 203), reported in favor of the passage of the following substitute bill:

AN ACT to amend the public health law, relative to the manufacture and sale of patent or proprietary medicines.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article thirteen of chapter six hundred and sixty-one of the laws of eighteen hundred and ninety-three, entitled "An act in relation to the public health, constituting chapter twenty-five of the general laws," is hereby amended by inserting therein a new section to be known as section two hundred and eighteen-b and to read as follows:

§ 218-b. Patent or proprietary medicines; formula to be filed; when sale prohibited.—The manufacturer of a drug, medicine, or mixture of drugs, herbs or medicines, commonly known as patent or proprietary medicine, shall file in the office of the state commissioner of health a verified statement containing the name under which such medicine is to be sold, the place where manufactured and an analysis or formula specifying the ingredients thereof and the quantity of such ingredients. There shall accompany such statement a sample of such patent or proprietary medicine which shall conform in all respects to the analysis or formula contained in such statement. The state commissioner of health shall cause an analysis of such medicine to be made and, if satisfied that such medicine conforms with the analysis or formula contained in such statement, and that it contains no drug or substance deleterious to health when used for the purpose for which it is prepared, he shall issue a certificate to the manufacturer of such medicine authorizing the sale thereof under the name specified in the statement filed by such manufacturer. There shall be paid to the state commissioner of health at the time of presenting the statement as herein required, a fee of five dollars. There shall be plainly printed on the label of the bottle or package containing such medicine, and also upon the outside wrapper of the package containing the same, a statement that the analysis or formula of the medicine contained has been filed in the office of the state commissioner of health as above required. On and after the taking effect of this act a manufacturer shall not sell, offer or expose for sale any patent or proprietary medicine in this state, unless the formula or analysis thereof shall be filed, the certificate be issued, and the statement be printed on the label or wrapper, as provided in this section: and on and after such date a retail or wholesale

dealer shall not sell or offer to sell any such medicine unless there be printed on the label or wrapper thereof, as above provided, a statement that the formula or analysis of such medicine has been filed as required by this section; but this section shall not prevent the sale of proprietary or patent medicines by retail and wholesale dealers, other than the manufacturers thereof, which were purchased by them and in their possession, prior to the taking effect of this act. A manufacturer who shall sell, offer or expose for sale proprietary or patent medicine, without having filed the statement and secured the certificate as herein required, and without having printed on the label or wrapper the statement as to the filing of the analysis or formula of such medicine in the office of the state commissioner of health, or who shall manufacture and sell, offer or expose for sale any proprietary or patent medicine under the name specified in the statement filed as herein required, which does not conform to the analysis or formula contained in such statement, shall be guilty of a misdemeanor, punishable by imprisonment for not less than one month nor more than six months, or by a fine for not less than fifty nor more than five hundred dollars, or by both such fine and imprisonment.

§ 2. This act shall take effect immediately.

J. C. SHELDON,
Chairman.

Which report was agreed to and said substitute bill ordered printed and placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Cox, Int. No. 682, entitled "An act to amend the Code of Civil Procedure in relation to the jurisdiction of the Court of Claims" (No. 770), reported in favor of the passage of the same with the following amendments:

Page 2, line 10, after the word "act" insert the words "other than for the appropriation of land."

Same page, line 11, strike out the word "two" and insert the word "six."

Same page, line 17, after the word "oaths" insert a semicolon and the words "and no such claim shall be valid for damages accruing more than six months prior to the filing of said notice."

ROBERT LYNN COX,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Standart, Int. No. 1080, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Daniel O'Grady against the State for damages alleged to have been sustained by him, and to enter judgment therefor" (No. 1326), reported in favor of the passage of the same with the following amendment:

Page 2, line 7, strike out all down to and including line 15 and insert the following:

§ 2. Nothing in this act shall be construed as passing upon the merits of this claim or assuming liability on the part of the state, nor as debarring the state from interposing any legal or equitable defense to the alleged claim or any part thereof; and no award shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability were the same established by evidence in a court of law or equity against an individual or corporation nor unless said claim shall be filed with the court of claims within one year from the passage of this act."

ROBERT LYNN COX,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Scovill, Int. No. 1247, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William E. Carney, as executor of the last will and testament of Michael Carney, deceased, for damages against the State, alleged to have been sustained by him, and to render judgment therefore" (No. 1602), reported in favor of the passage of the same with the following amendment:

Page 2, line 7, beginning with the word "nothing" strike out all down to and including the word "court" on line 10, and insert the following:

"§ 2. Nothing in this act shall be construed as passing upon the merits of this claim or assuming liability on the part of the

state, nor as debarring the state from interposing any legal or equitable defense to the alleged claim or any part thereof; and no award shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability were the same established by evidence in a court of law or equity against an individual or corporation nor unless said claim shall be filed with the court of claims within one year from the passage of this act.

“§ 3. This act shall take effect immediately.”

ROBERT LYNN COX,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Reeve, Int. No. 1076, entitled “An act to amend the Forest, Fish and Game Law, relative to Jamaica bay and adjacent waters” (No. 1322), reported in favor of the passage of the same, without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. J. G. Allen, Int. No. 1206, entitled “An act to amend the Forest, Fish and Game Law, in relation to close season for trout in Fall Brook creek and its tributaries in the town of Sumner Hill in the county of Cayuga” (No. 1544), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Reeve, Int. No. 1079, entitled “An act to amend the Forest, Fish and Game Law, relative to the use of nets in Coney Island creek” (No. 1325), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Reeve, Int. No. 1078,

entitled "An act to amend the Forest, Fish and Game Law, relative to the powers of game protectors" (No. 1324), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Reeve, Int. No. 1077, entitled "An act to amend the Forest, Fish and Game Law, relative to close season on woodcock" (No. 1323), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Reeve, Int. No. 1074, entitled "An act to amend the Forest, Fish and Game Law, relative to grouse and woodcock not being sold" (No. 1320), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Reeve, Int. No. 1075, entitled "An act to amend the Forest, Fish and Game Law, relative to penalties" (No. 1321), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was recommitted the bill introduced by Mr. Cunningham, Int. No. 599, entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in Ulster county" (No. 1625), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Phillips, Int. No. 466, entitled "An act to amend the Forest, Fish and Game Law,

relating to trout fishing in the county of Allegany" (No. 496), reported in favor of the passage of the same with the following amendments:

Page 2, between lines 12 and 13 insert the following:

"§ 2. Article three of such chapter is hereby amended by inserting therein a new section to be section forty-one-b thereof, and to read as follows:

"§ 41-b. Trout, close season; Allegany county.—The close season for trout in the Genesee river in the county of Allegany shall be from September 1st to April fifteenth both inclusive; in all the other brooks, streams and waters in such county, inhabited by trout, the close season shall be from July sixteenth to April fifteenth, both inclusive."

Page 2, line 13, change "2" to "3."

WILLIS A. REEVE,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Evans, from the committee on public printing, to which was referred the resolution relative to the consideration of means to improve the legislative printing, submitted the following report:

The committee on public printing has duly investigated the cause of errors appearing in the printed bills, resolutions and other documents of the Assembly, and find that they are due to errors contained in bills as originally introduced and also due to mistakes made by the proofreaders employed by the public printer. That this committee has heretofore called the attention of the printer to the fact that this House demands more accuracy in the printing of bills, and that said printer has recently employed three additional proofreaders and that there is reason to believe that the service will be more efficient in the future.

Ordered, That said report be laid upon the table.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

"An act to authorize the city of Olean to acquire the Oak Lawn

Cemetery, and other lands, for the establishment of a public park, to provide for the removal of remains in such cemetery, and the reinterment thereof, and to authorize the issue of bonds for the purposes of the act." (No. 1139, Int. No. 954.)

"An act relating to the appointment of employees of the fire department of the city of New York to the uniformed force of the said department." (No. 1131, Int. No. 945.)

"An act providing for first and second district attorneys in the county of Oneida and providing for their salaries and prescribing their duties." (No. 1303, Int. No. 1057.)

"An act to legalize the official acts of the assessors, board of trustees, and collector, of the village of Attica, in the county of Wyoming, in relation to taxes and local assessments during the years 1902, 1903, and 1904." (No. 1358, Int. No. 1099.)

"An act to confer jurisdiction on the Court of Claims to hear, audit and determine the alleged claim of Michael C. Murphy against the State for damages alleged to have been sustained by him and to render judgment therefor." (No. 1567, Int. No. 246.)

"An act to confer on the Court of Claims jurisdiction to hear, audit and determine the claims of the personal representatives of William J. Smith for damages resulting from the death of said William J. Smith by the negligence of the State of New York through its servants and employees." (No. 1568, Int. No. 224.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Guy R. Burleigh against the State for damages alleged to have been sustained by him and to render judgment therefor." (No. 1573, Int. No. 494.)

"An act to release to Peter H. L. Bradt and James J. Bradt the right, title and interest of the people of the State of New York acquired by escheat in and to certain real estate situate in the city of Niagara Falls, county of Niagara and State of New York." (No. 1569, Int. No. 453.)

"An act to authorize the town of Pelham, in the county of Westchester, to acquire a site and construct a town hall in said town, and to issue bonds in payment therefor." (No. 1574, Int. No. 1014.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Dennis Dwyer against the State for damages alleged to have been sustained by the said Dennis Dwyer and to render judgment therefor.” (No. 1685, Int. No. 1121.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael E. O'Connor and John N. Booth, doing business under the firm name of O'Connor & Booth, for damages alleged to have been sustained by them, and to render judgment therefor.” (No. 1684, Int. No. 991.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Daniel F. Strobel and Dennis Moynehan, doing business under the firm name of Strobel and Moynehan, for damages alleged to have been sustained by them, and to render judgment therefor.” (No. 1686, Int. No. 1113.)

“An act to amend the Greater New York charter, relative to the use of school buildings.” (No. 1621, Int. No. 1142.)

“An act to locate and designate a site for a public library in the borough of Brooklyn upon lands owned by the city of New York.” (No. 1622, Int. No. 935.)

“An act to amend chapter 310 of the Laws of 1879, entitled ‘An act to prevent the sale of lands used for cemetery purposes,’ in relation to crematories.” (No. 1282, Int. No. 1044.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Henry F. Muringham, for damages alleged to have been sustained by him at the Hudson River State Hospital.” (No. 1571, Int. No. 649.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Auburn against the State, for a local improvement consisting of the laying (and paying for the construction of) a sidewalk in front of lands in said city upon which is located the State prison, and to render judgment therefor.” (No. 1570, Int. No. 503.)

“An act to authorize the Comptroller of the State to hear and determine the application of William H. Faxon for cancellation of the tax sales made by the Comptroller in 1881, and 1885, on lot No. 104 of Township 26, Totten and Crossfield’s Purchase, Essex county.” (No. 1683, Int. No. 545.)

“An act to authorize the city of Yonkers to borrow money and issue bonds for highway purposes in said city.” (No. 1536, Int. No. 1202.)

“An act to amend chapter 106 of the Laws of 1891, entitled ‘An act to revise, consolidate and amend the several acts relating to the village of Mechanicville and to repeal certain acts,’ relating to the appointment of inspectors of election.” (No. 1134, Int. No. 949.)

“An act to provide for the safety of passengers and for protection against fire on excursion boats.” (No. 1677, Rec. No. 110.)

“An act authorizing the Superintendent of Public Works to investigate and report as to the acquisition of toll bridges across the Delaware river between this State and the State of Pennsylvania.” (No. 1687, Int. No. 853.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael O’Keefe against the State of New York, for damages alleged to have been sustained while in the employ of the State.” (No. 1682, Int. No. 869.)

“An act to amend the Code of Civil Procedure, relating to stenographers in county courts.” (No. 1481, Rec. No. 125.)

“An act to provide for the compensation of the transcribers or copyists of old or mutilated records in the office of the register of the county of Kings.” (No. 1072, Int. No. 890.)

“An act authorizing the board of estimate and apportionment of the city of New York to make appropriations for the celebration of Memorial day in the borough of Richmond.” (No. 1392, Int. No. 1135.)

“An act to amend chapter 142 of the Laws of 1879, entitled ‘An act to amend chapter 125 of the Laws of 1842, entitled “An act to condense and amend the several acts relating to the vil-

lage of Albion," and the several acts amendatory thereof,' generally." (No. 1225, Int. No. 1015.)

"An act to amend chapter 106 of the Laws of 1891, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville, and to repeal certain acts,' relative to ordinances pertaining to the fire alarm telegraph system." (No. 741, Int. No. 660.)

Mr. Stevens offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill No. 702, entitled "An act to enable the city of Troy to borrow moneys wherewith to pay its floating indebtedness and fund deficiencies, and to provide for the repayment thereof." (Rec. No. 140.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Stevens, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Stevens, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 148

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjost
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihilf	Everett	Lewis	Reeve	Thonet

Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoeneck	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker	Patton		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Wainwright offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill No. 591, entitled "An act to amend section 38 of chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle.'" (Rec. No. 145.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced for a second reading,

On motion of Mr. Wainwright, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

Mr. Wainwright offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill No. 590, entitled "An act to authorize the city of New Rochelle to compensate John Hettinger for injury to his real property caused by the grading and completing of Horton avenue and Brooks street in said city and to authorize the issuance of certificates of indebtedness therefor." (Rec. No. 144.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced for a second reading,

On motion of Mr. Wainwright, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

Mr. Wainwright offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill No. 589, entitled "An act to authorize the common council of the city of New Rochelle, to procure an assessment map of said city, and to issue bonds in payment therefor." (Rec. No. 146.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced for a second reading,

On motion of Mr. Wainwright, and by unanimous consent, said bill was ordered placed on the second reading calendar for Friday next.

Mr. Patton offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on canals be discharged from the further consideration of Senate bill No. 818, entitled "An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants." (Rec. No. 208.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Patton, and by unanimous consent, said bill was substituted for Assembly bill No. 1381, Int. No. 1124, same title and subject, now on the order of third reading.

The Senate bill (No. 649) entitled "An act to amend section 230 of chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' in relation to claims for damages arising from defective streets, sidewalks, etc." (Rec. No. 186), having been announced,

Mr. Speaker stated the pending question to be the substitute offered by Mr. Sheldon.

Mr. Sheldon thereupon withdrew said substitute bill.

Mr. Palmer moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 1, strike out the words "out of repair, unsafe, dangerous or;" and after the word "snow" insert the word "or," and after the word "ice" omit the word "or."

Same page, line 2, strike out the words "otherwise, or in any way or manner."

Same page, line 3, strike out the words "defective, unsafe, dangerous or obstructed."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

AYES 39

NOES 65

Those who voted in the affirmative were:

Anderson	Cooke	Hackett	Palmer	Smith A E
Bird	Dale	Hartman	Phillips	Tompkins
Burzynski	Dodd	Hornidge	Plank	Wade
Byrne	Donovan	La Fetra	Reilly	Wagner
Cahn	Ellis	Malloy	Rigby	Wiegand
Caughlan	Fitzsimons	Mathews T F	Rosenstein	Wolf
Charles E E	Fuller	McKeown	Salomon	Wood F C
Charles W B	Grady	O'Neill	Shanahan	

Those who voted in the negative were:

Allen F E	Evans	Knapp	Pratt	Steele
Becker	Foster	La Rue	Prentice	Stevens
Bedell	Freidel	Lewis	Reeve	Tenjost
Beebe	Gardner	Maier	Rogers	Thompson G F
Beihlf	Gates	Matthews C R	Santee	Thonet
Bisland	Grattan	Mead	Schoeneck	Waddell
Brooks	Gray	Miller	Scovill	Wadsworth
Burnett	Hammond	Monroe	Sherry	Wainwright
Cadin	Hanford	Moreland	Shuttleworth	West
Callahan	Hapeman	Murphy	Slocum	Whitney F G
Coon	Hastings	Newton	Smith A P	Whitney G H
Cotton	Hooker	Ogden	Smith J E	Wilsnack
Coutant	Hooper	Patton	Smith J T	Wilson
Cox	Hubbs	Pendry	Standart	Wood F X
Etsel	Hurd	Platt	Stanley	Young

Mr. Lewis moved a close call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Allen F E	Coutant	Hastings	Phillips	Standart
Allen J G	Cox	Hooker	Plank	Stanley
Anderson	Cunningham	Hooper	Platt	Steele
Bass	Dale	Hubbs	Pratt	Stevens
Becker	Dodd	Hurd	Prentice	Tenjost
Bedell	Donovan	Knapp	Quinn	Thompson G F
Beebe	Dowling	La Fetra	Reeve	Thonet
Beihlf	Ellis	La Rue	Reilly	Tompkins
Bird	Etzel	Lewis	Rigby	Waddell
Bisland	Evans	Maier	Rogers	Wade
Brady	Fitzsimons	Mathews T F	Rosenstein	Wagner
Brooks	Foster	McKeown	Salomon	Wadsworth
Burnett	Freidel	Mead	Santee	Wainwright
Burzynski	Fuller	Miller	Schoeneck	West
Byrne	Gardner	Monroe	Scovill	Wemple
Cadin	Gates	Moreland	Shanahan	Whitney F G
Cahn	Grady	Murphy	Sheldon	Whitney G H
Callahan	Grattan	Newton	Sherry	Wilsnack
Carrier	Gray	Ogden	Shuttleworth	Wilson
Caughlan	Hackett	O'Neill	Slocum	Wolf
Charles W B	Hammond	Palmer	Smith A P	Wood F C
Cooke	Hanford	Parker	Smith A E	Wood F X
Coon	Hapeman	Patton	Smith J E	Yale
Cotton	Hartman	Pendry	Smith J T	Young 120

Mr. Moreland moved the previous question on the final passage of said bill.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 82

NOES 41

Those who voted in the affirmative were:

Allen F E	Cunningham	Hooper	Patton	Steele
Allen J G	Dowling	Hubbs	Pendry	Stevens
Bass	Etzel	Hurd	Platt	Tenjost
Becker	Evans	Knapp	Pratt	Thompson G F
Bedell	Foelker	La Rue	Prentice	Waddell
Beebe	Foster	Lewis	Reeve	Wadsworth
Beihlf	Freidel	Maier	Rogers	Wainwright

Bisland	Gardner	Matthews C R	Santee	West
Brady	Gates	Mead	Schoeneck	Wemple
Brooks	Grattan	Miller	Scovill	Whitney F G
Burnett	Gray	Monroe	Shuttleworth	Whitney G H
Cadin	Hammond	Moreland	Smith A P	Wilsnack
Callahan	Hanford	Murphy	Smith J E	Wilson
Carrier	Hapeman	Newton	Smith J T	Wood F X
Coon	Hartman	Ogden	Standart	Yale
Cotton	Hastings	Parker	Stanley	Young
Coutant	Hooker			

Those who voted in the negative were:

Anderson	Cooke	Hornidge	Quinn	Slocum
Bird	Dodd	La Fetra	Reilly	Smith A E
Burns	Donovan	Malloy	Rigby	Tompkins
Burzynski	Ellis	Mathews T F	Rosenstein	Wade
Byrne	Fitzsimons	Palmer	Salomon	Wagner
Cahn	Fuller	Phillips	Shanahan	Wiegand
Caughlan	Grady	Plank	Sheldon	Wolf
Charles E E	Hackett	Prince	Sherry	Wood F C
Charles W B				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Bedell in the chair.

The bill (No. 1184) entitled "An act to amend chapter 528 of the Laws of 1902, entitled 'An act to regulate the sales of merchandise in bulk, relative to fixtures'" (Int. No. 441), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 81

NOES 40

Those who voted in the affirmative were:

Anderson	Dodd	Lewis	Quinn	Stanley
Bedell	Etzel	Maier	Reeve	Sullivan
Beihliff	Fitzsimons	Malloy	Reilly	Thonet
Bird	Foster	Mathews T F	Rigby	Tompkins
Brooks	Freidel	Murphy	Rogers	Wagner
Burnett	Fuller	Newton	Rosenstein	Wadsworth
Cadin	Gates	Nugent	Schoeneck	Wainwright
Cahn	Grattan	Ogden	Scovill	Wolf
Callahan	Gray	O'Neill	Shanahan	Whitney F G

Carrier	Hammond	Palmer	Sheehy	Whitney G H
Caughlan	Hanford	Parker	Sheldon	Wiegand
Charles W B	Hartman	Patton	Sherry	Wilsnack
Coon	Hastings	Pendry	Smith A E	Wilson
Cotton	Hooker	Platt	Smith J E	Wolf
Coutant	Hornidge	Pratt	Smith J T	Yale
Cunningham	Hubbs	Prentice	Standart	Young
Dale				

Those who voted in the negative were:

Allen F E	Charles E E	Grady	Matthews C R	Slocum
Allen J G	Cooke	Hackett	Miller	Smith A P
Bass	Cox	Hapeman	Moreland	Stevens
Becker	Donovan	Hooper	Phillips	Tenjost
Beebe	Ellis	Hurd	Plank	Waddell
Brady	Evans	Knapp	Salomon	Wade
Burns	Foelker	La Fetra	Santee	Wood F C
Burzynski	Gardner	La Rue	Shuttleworth	Wood F X

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1575) entitled "An act to amend the Penal Code by inserting therein an additional section, to be known as section 41-gg, relative to the identification of official ballots" (Int. No. 45), having been announced for a third reading,

Mr. Fuller moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 2, line 7, strike out the words "The possession by any person on election day."

Same page, strike out lines 8, 9, 10, 11, 12 and 13.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. A. E. Smith moved that said bill be recommitted to the mittee on codes, with instructions to report the same forthwith amended as follows:

Page 2, line 9, strike out the word "paper" between the words "paper" and "print."

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the negative.

Mr. Tompkins moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 2, line 9, strike out the words "substance or material."

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the negative.

Mr. Sherry moved that said bill be recommitted to the committee on codes with instructions to report the same forthwith amended as follows:

Page 2, line 15, after the word "five" add the words "This act shall only apply to the eighth assembly district of New York county."

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 90

NOES 31

Those who voted in the affirmative were:

Allen F E	Cox	Hooper	Perry	Stanley
Allen J G	Cunningham	Hubbs	Phillips	Stevens
Bass	Dowling	Hurd	Plank	Tenjost
Becker	Etsel	Knapp	Platt	Thompson G F
Bedell	Evans	Lewis	Pratt	Thonet
Beebe	Foelker	Maier	Prentice	Waddell
Beihlf	Foster	Matthews C R	Reeve	Wade
Brady	Freidel	Mead	Rigby	Wadsworth
Brooks	Gardner	Miller	Rogers	Wainwright
Burnett	Gates	Monroe	Santee	Wemple
Cadin	Grattan	Moreland	Scovill	Whitney F G
Cahn	Gray	Murphy	Sheldon	Whitney G H
Callahan	Hammond	Newton	Shuttleworth	Wilsnack
Carrier	Hanford	Ogden	Slocum	Wilson
Charles E E	Hapeman	O'Neill	Smith A P	Wood F C
Charles W B	Hartman	Parker	Smith J E	Wood F X
Coon	Hastings	Patton	Smith J T	Yale
Cotton	Hooker	Pendry	Standart	Young

Those who voted in the negative were:

Anderson	Dale	Fuller	Quinn	Sherry
Bird	Dodd	Grady	Reilly	Smith A E
Burns	Donovan	Hackett	Salomon	Sullivan
Burzynski	Ellis	Malloy	Sammon	Tompkins
Byrne	Fitzsimons	Mathews T F	Shanahan	Wiegand
Caughlan	Francisco	Nugent	Sheehy	Wolf
Coutant				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 130, Assembly reprint No. 1637) entitled "An act to amend the Banking Law, relative to reports of banks and trust companies" (Rec. No. 99), having been announced for a third reading,

Mr. Cox moved that said bill be recommitted to the committee on banks, with instructions to report the same forthwith amended as follows:

Page 2, lines 2 and 3, underscore the words "trust company."

Page 3, line 19, take out the brackets between the words "company" and "or" and place a bracket between the words "a" and "safe."

Page 4, line 10, underscore the words "trust company."

Same page, line 16, strike out all the section and substitute therefor the following:

"§ 2. Sections twenty-one and twenty-two of such act are hereby amended to read as follows:

"§ 21. Penalties for failure to report.—If any bank or trust company or individual banker shall fail to make such report within ten days from the day designated for the making thereof, or to include therein any matter required by the superintendent, or if any savings bank [or trust company] shall fail to make such report within the time required by this chapter, or to include therein any matter required by the superintendent; every such delinquent bank, banker, savings bank or trust company shall forfeit to the people of the state the sum of one hundred dollars for every day that such report shall be delayed or withheld, and for every day that it shall fail to report any such omitted matter. Every other corporation subject to the provisions of this chapter which shall fail to make such report within the time herein required, or to include therein any matter required by the superintendent to be stated, shall forfeit to the people the sum of ten dollars for every day for which such report shall be delayed or withheld, and for every day that any such omitted matter may remain unreported. The moneys forfeited by this section, when recovered, shall be paid into the state treasury to be used to defray the miscellaneous expenses of the department. If any corporation or individual banker shall fail to make two successive reports as herein required, every such

corporation shall forfeit its charter, and every such individual banker shall forfeit his privileges as such banker; and every such corporation or individual banker may be proceeded against and the affairs of such corporation closed, and such individual banker be restrained from continuance in business, in the same manner as an insolvent corporation or individual banker may be proceeded against. In case of the failure of any corporation or individual banker to make any report required of him by law, the superintendent shall immediately cause the books, papers and affairs of such corporation or banker to be examined as directed by section eight of this chapter.

“§ 22. Publication of reports.—Within thirty days after any such report shall be made, the superintendent shall, with the exception of the reports made by savings banks, publish a summary statement thereof in a paper at Albany in which notices by state officers are required by law to be published, and the separate report of each corporation and individual banker shall be published by such corporation or individual banker in at least one newspaper of the place where its principal place of business is located, if there be one; if not then the newspaper published nearest where the bank or trust company is located. Such summary statement shall contain the items of capital, circulation, if any, and deposits, specie, and cash items public securities and private securities and such other matters as may be necessary to inform the public as to the financial condition and solvency of any such corporation or banker, or which the superintendent may deem proper to include therein. In the publication of such statements, the superintendent shall arrange the individual bankers in a separate class, and specify the name and place of business of each, and the names and residences of the general partners.

“§ 3. This act shall take effect immediately.”

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Mr. J. T. Smith, from the committee on banks, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1631) entitled “An act to amend the Code of Civil Procedure with respect to the city court of the city of New York, and providing for the election of additional judges of said

court and for an appellate term of said court" (Int. No. 497), having been announced for a third reading,

Mr. Tompkins moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Strike out all matter beginning with "§ 9," line 13, page 5, and closing with the word "thereof," line 13, page 7.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hubbs	Phillips	Standart
Allen F E	Cunningham	Hurd	Plank	Stanley
Allen J G	Dale	Knapp	Platt	Steele
Anderson	Dodd	La Fetra	Prentice	Stevens
Apgar	Donovan	La Rue	Prince	Sullivan
Bass	Ellis	Lewis	Quinn	Tenjost
Becker	Etzel	Machacek	Reeve	Thompson G F
Bedell	Evans	Maier	Reilly	Thompson J A
Beebe	Everett	Malloy	Rigby	Thonet
Beihlf	Fish	Mathews T F	Rogers	Tompkins
Bird	Fitzsimons	Matthews C R	Rosenstein	Waddell
Bisland	Foster	McKeown	Salomon	Wade
Brady	Francisco	McManus	Sammon	Wadsworth
Burnett	Fuller	Mead	Santee	Wainwright
Burns	Gardner	Merritt	Scovill	Wedemeyer
Burzynski	Gates	Miller	Shanahan	West
Cadin	Grady	Moreland	Sheehy	Wemple
Cahn	Grattan	Murphy	Sheldon	Whitney F G
Callahan	Gray	Newton	Sherry	Wiegand
Carrier	Gurnett	Nugent	Shuttleworth	Wilsnack
Caughlan	Hammond	Ogden	Slocum	Wilson
Charles E E	Hanford	O'Neill	Smith A P	Wolf
Charles W B	Hapeman	Palmer	Smith A E	Wood F C
Cooke	Hartman	Parker	Smith J E	Wood F X
Coon	Hooker	Patton	Smith J T	Yale
Cotton	Hooper	Perry	Smith R H	Young
Coutant				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker in the chair.

The bill (No. 1643) entitled "An act to amend the Consolidated School Law, relative to the qualifications of school commissioner" (Int. No. 484), having been announced for a third reading,

Mr. Wainwright moved that said bill be recommitted to the committee on public education, with instructions to report the same forthwith amended as follows:

Page 2, line 11, after the words "New York" insert the words "or must have had previous experience as school commissioner."

Same page, line 15, strike out the words "in force."

Same page, line 18, strike out the word "educational."

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Mr. Wainwright, from the committee on public education, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 902) entitled "An act to authorize the comptroller of the city of New York and corporation counsel, on behalf of said city, to compromise, settle, cancel, annul and discharge certain taxes, assessments, and water rates and interest thereon, levied upon the property owned by George J. Greenfield, Henry Greenfield and Elizabeth M. Greenfield, situated in the Twelfth ward of the city of New York, borough of Manhattan" (Int. No. 315), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147

NOES 00

Those who voted in the affirmative were:

Agnew
Allen F E
Allen J G
Anderson

Cox
Cunningham
Dale
Dodd

Hooper
Hornidge
Hubbs
Hurd

Pendry
Perry
Phillips
Plank

Smith R H
Standart
Stanley
Steele

Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	La Fetra	Pratt	Sullivan
Becker	Ellis	La Rue	Prentice	Tenjest
Bedell	Etsel	Leggett	Prince	Thompson G F
Beebe	Evans	Lewis	Quinn	Thompson J A
Beihlf	Everett	Machacek	Reeve	Thonet
Bird	Fish	Maier	Reilly	Tompkins
Bisland	Fitzsimons	Malloy	Rigby	Waddell
Brady	Foelker	Mathews T F	Rogers	Wade
Brooks	Foster	Matthews C R	Rosenstein	Wagner
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Gates	Miller	Scovill	Wemple
Cahn	Grady	Monroe	Shanahan	Whitney F G
Callahan	Grattan	Moreland	Sheehy	Whitney G H
Carrier	Gray	Murphy	Sheldon	Wiegand
Caughlan	Gurnett	Newton	Sherry	Wilsnack
Charles E E	Hackett	Nugent	Shuttleworth	Wilson
Charles W B	Hammond	Ogden	Slocum	Wolf
Cooke	Hanford	O'Neill	Smith A P	Wood F C
Coon	Hapeman	Palmer	Smith A E	Wood F X
Cotton	Hartman	Parker	Smith J E	Yale
Coutant	Hastings	Patton	Smith J T	Young
Cowan	Hooker			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1641) entitled "An act to amend the Insurance Law, in relation to Lloyds associations" (Int. No. 798), was read the third time, having been printed and upon the desks of the members in its final form at least three calandar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 97

NOES 8

Those who voted in the affirmative were:

Allen F E	Evans	Lewis	Pratt	Steele
Allen J G	Foelker	Maier	Prentice	Stevens
Bedell	Freidel	Mathews T F	Reeve	Tenjest
Beihlf	Fuller	Matthews C R	Reilly	Thompson G F
Brady	Gardner	Mead	Rigby	Thonet
Brooks	Gates	Miller	Rogers	Tompkins
Cadin	Grady	Monroe	Salomon	Waddell
Cahn	Grattan	Moreland	Santee	Wade
Callahan	Gray	Murphy	Schoeneck	Wagner

Carrier	Hammond	Newton	Scovill	Wadsworth
Charles E E	Hanford	Ogden	Sheldon	Wainwright
Charles W B	Hapeman	O'Neill	Sherry	West
Coon	Hartman	Parker	Shuttleworth	Wemple
Cotton	Hastings	Patton	Slocum	Whitney G H
Coutant	Hooker	Pendry	Smith A P	Wilsnack
Cox	Hooper	Perry	Smith J E	Wilson
Cunningham	Hubbs	Phillips	Smith J T	Wood F X
Dodd	Hurd	Plank	Standart	Yale
Dowling	Knapp	Platt	Stanley	Young
Etzel	La Rue			

Those who voted in the negative were:

Cooke	Donovan	Foster	La Fetra	Palmer
Dale	Ellis	Hackett		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1581) entitled "An act to amend the Greater New York charter, relative to police clerks and the clerks of the children's court, first division" (Int. No. 457), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 89

NOES 21

Those who voted in the affirmative were:

Allen F E	Coutant	Hooker	Pendry	Standart
Allen J G	Cox	Hooper	Perry	Stanley
Bass	Dowling	Hubbs	Phillips	Steele
Becker	Etzel	Hurd	Plank	Stevens
Bedell	Evans	Knapp	Platt	Tenjost
Beihlf	Foelker	La Rue	Pratt	Thompson G F
Bisland	Foster	Lewis	Prentice	Thonet
Brady	Francisco	Maier	Reeve	Wade
Brooks	Freidel	Matthews C R	Rigby	Wadsworth
Burnett	Gardner	Miller	Rogers	Wainwright
Burzynski	Gates	Monroe	Santee	West
Cadin	Grattan	Moreland	Scovill	Wemple
Callahan	Gray	Murphy	Sheldon	Whitney F G
Carrier	Hammond	Newton	Shuttleworth	Wilsnack
Charles E E	Hanford	Ogden	Slocum	Wood F X
Charles W B	Hapeman	O'Neill	Smith A P	Yale
Coon	Hartman	Parker	Smith J E	Young
Cotton	Hastings	Patton	Smith J T	

Those who voted in the negative were:

Anderson	Hackett	Palmer	Sammon	Tompkins
Burns	La Fetra	Reilly	Shanahan	Wagner
Cahn	Malloy	Rosenstein	Sherry	Wiegand
Fuller	Mathews T F	Salomon	Smith A E	Wolf
Grady				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1585) entitled "An act to amend the State Finance Law, relative to the Comptroller's annual report" (Int. No. 1000), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 96

NOES 43

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Parker	Smith J E
Allen F E	Cox	Hooper	Patton	Smith J T
Allen J G	Cunningham	Hubbs	Pendry	Standart
Apgar	Dowling	Hurd	Perry	Stanley
Bass	Etzel	Knapp	Phillips	Steele
Becker	Evans	La Rue	Plank	Stevens
Bedell	Foelker	Leggett	Platt	Tenjost
Beebe	Foster	Lewis	Pratt	Thompson G F
Beihilf	Francisco	Maier	Prentice	Thonet
Bisland	Freidel	Matthews C R	Reeve	Waddell
Brady	Gardner	Mead	Rigby	Wade
Brooks	Gates	Merritt	Rogers	Wadsworth
Burnett	Grattan	Miller	Santee	Wainwright
Cadin	Gray	Monroe	Schoeneck	West
Callahan	Hammond	Moreland	Scovill	Wemple
Carrier	Hanford	Murphy	Sheldon	Whitney F G
Charles E E	Hapeman	Newton	Shuttleworth	Whitney G H
Charles W B	Hartman	Ogden	Slocum	Wilson
Coon	Hastings	O'Neill	Smith A P	Yale
Cotton				

Those who voted in the negative were:

Anderson	Donovan	Kavanaugh	Quinn	Smith R H
Bird	Ellis	Machacek	Reilly	Sullivan
Burns	Everett	Malloy	Rosenstein	Thompson J A
Burzynski	Fitzsimons	Mathews T F	Salomon	Tompkins
Byrne	Fuller	McKeown	Sammon	Wagner
Caughlan	Grady	McManus	Shanahan	Wedemeyer
Cooke	Gurnett	Nugent	Sheehy	Wiegand
Dale	Hackett	Palmer	Sherry	Wolf
Dodd	Hornidge	Prince		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 825) entitled "An act to amend chapter 160 of the Laws of 1900, entitled 'An act to incorporate the city of Cortland' relative to revising certain sections of the charter" (Rec. No. 174), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 67

NOES 39

Those who voted in the affirmative were:

Allen F E	Cunningham	Hooper	Patton	Steele
Allen J G	Dowling	Hubbs	Pendry	Stevens
Bass	Etzel	Hurd	Platt	Tenjost
Becker	Evans	Knapp	Pratt	Thompson G F
Bedell	Foelker	La Rue	Prentice	Waddell
Beebe	Foster	Lewis	Reeve	Wadsworth
Beihilf	Freidel	Maier	Rogers	Wainwright
Bisland	Gardner	Matthews C R	Santee	West
Brady	Gates	Mead	Schoeneck	Wemple
Brooks	Grattan	Miller	Scovill	Whitney F G
Burnett	Gray	Monroe	Shuttleworth	Whitney G H
Cadin	Hammond	Moreland	Smith A P	Wilsnack
Callahan	Hanford	Murphy	Smith J E	Wilson
Carrier	Hapeman	Newton	Smith J T	Wood F X
Coon	Hartman	Ogden	Standart	Yale
Cotton	Hastings	Parker	Stanley	Young
Coutant	Hooker			

Those who voted in the negative were:

Anderson	Dodd	La Fetra	Reilly	Smith A E
Bird	Donovan	Malloy	Rigby	Tompkins
Burns	Ellis	Mathews T F	Rosenstein	Wade
Burzynski	Fitzsimons	Palmer	Solomon	Wagner
Byrne	Fuller	Phillips	Shanahan	Wiegand
Cahn	Grady	Plank	Sheldon	Wolf
Coughlan	Hackett	Prince	Sherry	Wood F C
Cooke	Hornidge	Quinn	Slocum	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 207) entitled "An act to further amend section 5 of chapter 553 of the Laws of 1895, as amended by section 5 of chapter 959 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof,' making provision for the appointment by said Appellate Division in the First Department of official referees and for their compensation" (Rec. No. 123), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78

NOES 23

Those who voted in the affirmative were:

Bass	Dale	Hooper	Pendry	Stanley
Becker	Dodd	Hurd	Plank	Stevens
Bedell	Ellis	La Fetra	Platt	Sullivan
Beebe	Etzel	Lewis	Pratt	Tenjost
Beihlf	Evans	Maier	Prentice	Thompson G F
Bird	Fitzsimons	Malloy	Reilly	Thonet
Bisland	Foelker	Matthews C R	Rigby	Tompkins
Brooks	Foster	Miller	Salomon	Waddell
Cadin	Freidel	Monroe	Santee	Wainwright
Cahn	Gardner	Moreland	Scovill	Whitney G H
Callahan	Gates	Murphy	Sherry	Wilsnack
Carrier	Grattan	Newton	Shuttleworth	Wilson
Caughlan	Hackett	Nugent	Slocum	Wolf
Charles E E	Hanford	Ogden	Smith A P	Wood F X
Cooke	Hapeman	Palmer	Smith A E	Young
Cox	Hooker	Parker	Smith J E	

Those who voted in the negative were:

Allen F E	Coutant	La Rue	Rogers	West
Allen J G	Donovan	Mathews T F	Sheldon	Wiegand
Burnett	Fuller	Phillips	Steele	Yale
Charles W B	Grady	Reeve	Wade	Speaker
Coon	Knapp			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1633) entitled "An act to amend the State Charities Law, authorizing the transfer of inmates of State charitable institutions" (Int. No. 586), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 438) entitled "An act to amend the Penal Code, relative to discrimination and other frauds in the management of places of public entertainment and amusement" (Int. No. 417), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 3

Those who voted in the affirmative were:

Agnew	Coutant	Hooper	Pendry	Smith J T
Allen F E	Cowan	Hornidge	Perry	Smith R H
Allen J G	Cox	Hubbs	Phillips	Standart
Apgar	Cunningham	Hurd	Plank	Stanley
Bass	Dale	Kavanaugh	Platt	Steele
Becker	Donovan	Knapp	Pratt	Stevens
Bedell	Dowling	La Fetra	Prentice	Sullivan
Beebe	Ellis	La Rue	Prince	Tenjost
Beihilf	Etzel	Leggett	Quinn	Thompson G F
Bird	Evans	Lewis	Reeve	Thonet
Bisland	Everett	Machacek	Reilly	Tompkins
Brady	Fish	Maier	Rigby	Wade
Brooks	Foelker	Mathews T F	Rogers	Wagner
Burnett	Foster	Mathews C R	Rosenstein	Wadsworth
Burns	Francisco	McManus	Sammon	Wainwright
Burzynski	Gardner	Mead	Santee	West
Byrne	Grady	Miller	Schoeneck	Wemple
Cadin	Grattan	Monroe	Scovill	Whitney F G
Cahn	Gray	Moreland	Shanahan	Whitney G H
Callahan	Gurnett	Murphy	Sheehy	Wiegand
Carrier	Hammond	Newton	Sheldon	Wilsnack
Caughlan	Hanford	Nugent	Sherry	Wilson
Charles E E	Hapeman	Ogden	Slocum	Wood F C
Charles W B	Hartman	Palmer	Smith A P	Wood F X

Cooke
Coon
Cotton

Hastings
Hooker

Parker
Patton

Smith A E
Smith J E

Yale
Young

Those who voted in the negative were:

Anderson

Fuller

McKeown

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1519) entitled "An act to amend the Greater New York charter, relative to the department of docks and ferries" (Int. No. 251), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1422) entitled "An act to amend the Penal Code, in relation to adultery" (Int. No. 385), having been announced for a third reading,

Mr. Cahn moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 1, line 4, strike out the words "adultery is the sex."

Same page, line 5, strike out the words "ual intercourse of," and before the word "two" insert the word "where."

Same page, line 6, after the word "person" insert the words "have sexual intercourse the married person is guilty of adultery."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Phillips, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1572) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Frances Turzkowska against the State of New York for damages alleged to have been sustained by her on the State Reservation at Niagara on or about the 5th day of July, 1903" (Int. No. 729), was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 148

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjost
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihlf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoeneck	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1690) entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to the jurisdiction of the police court and police justice" (Int. No. 693), having been announced for a third reading,

On motion of Mr. Ogden, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 104) entitled "An act to prohibit the assignment of wages to become due in the future" (Int. No. 104), having been announced for a third reading,

On motion of Mr. Hooker, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 933) entitled "An act to amend the Benevolent Orders Law, relative to power of trustees to issue bonds" (Int. No. 804), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 146

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Patton	Smith J T
Allen F E	Cunningham	Hooper	Pendry	Smith R H
Allen J G	Dale	Hornidge	Perry	Standart -
Anderson	Dodd	Hurd	Phillips	Stanley
Apgar	Donovan	Kavanaugh	Plank	Steele
Bass	Dowling	Knapp	Platt	Stevens
Becker	Ellis	La Fetra	Pratt	Sullivan
Bedell	Etsel	La Rue	Prentice	Tenjost
Beebe	Evans	Leggett	Prince	Thompson G F
Beihliff	Everett	Lewis	Quinn	Thompson J A ;
Bird	Fish	Machacek	Reeve	Thonet
Bisland	Fitzsimons	Maier	Reilly	Tompkins
Brady	Foelker	Malloy	Rigby	Waddell
Brooks	Foster	Mathews T F	Rogers	Wade
Burnett	Francisco	Matthews C R	Rosenstein	Wagner
Burns	Freidel	McKeown	Salomon	Wadsworth
Burzynski	Fuller	McManus	Sammon	Wainwright
Byrne	Gardner	Mead	Santee	Wedemeyer
Cadin	Gates	Merritt	Schoeneck	West
Cahn	Grady	Miller	Scovill	Wemple
Caliahan	Grattan	Monroe	Shanahan	Whitney F G
Carrier	Gray	Moreland	Sheehy	Whitney G H
Caughlan	Gurnett	Murphy	Sheldon	Wiegand
Charles E E	Hackett	Newton	Sherry	Wilsnack
Charles W B	Hammond	Nugent	Shuttleworth	Wilson

Cooke	Hanford	Ogden	Slocum	Wood F C
Coon	Hapeman	O'Neill	Smith A P	Wood F X
Cotton	Hartman	Palmer	Smith A E	Yale
Coutant	Hastings	Parker	Smith J E	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1378) entitled "An act to release to Bridget McDonough, the right, title and interest of the people of the State of New York acquired by escheat, in and to certain real estate situate in the city of Schenectady" (Int. No. 1119), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 148

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjest
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihilf	Everett	Lewis	Reeve	Thonet
Bird	Fish	McKeown	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoenck	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1362) entitled "An act to amend the Forest, Fish and Game Law, relative to fishing through the ice in the waters of Cross Lake, Cayuga county" (Int. No. 1103), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Pendry	Smith R H
Allen F E	Cunningham	Hubbs	Perry	Standart
Allen J G	Dale	Hurd	Phillips	Stanley
Anderson	Dodd	Kavanaugh	Plank	Steele
Apgar	Donovan	Knapp	Platt	Stevens
Bass	Dowling	La Fetra	Pratt	Sullivan
Becker	Ellis	La Rue	Prentice	Tenjost
Bedell	Etzel	Leggett	Prince	Thompson G F
Beebe	Evans	Lewis	Quinn	Thompson J A
Beihilf	Everett	Machacek	Reeve	Thonet
Bird	Fish	Maier	Reilly	Tompkins
Bisland	Fitzsimons	Malloy	Rigby	Waddell
Brady	Foelker	Mathews T F	Rogers	Wade
Brooks	Foster	Matthews C R	Rosenstein	Wagner
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Grady	Miller	Scovill	Wemple
Cahn	Grattan	Monroe	Shanahan	Whitney F G
Callahan	Gray	Moreland	Sheehy	Whitney G H
Carrier	Gurnett	Murphy	Sheldon	Wiegand
Caughlan	Hackett	Newton	Sherry	Wilsnack
Charles E E	Hammond	Nugent	Shuttleworth	Wilson
Charles W B	Hanford	Ogden	Slocum	Wolf
Cocke	Hapeman	O'Neill	Smith A P	Wood F C
Coon	Hartman	Palmer	Smith A E	Wood F X
Cotton	Hastings	Parker	Smith J E	Yale
Coutant	Hooker	Patton	Smith J T	Young
Cowan	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1635) entitled "An act providing for the assessment of certain lands in the county of Ulster" (Int. No. 752), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 2

Those who voted in the affirmative were:

Agnew	Coutant	Hooper	Pendry	Smith R H
Allen F E	Cowan	Hornidge	Perry	Standart
Allen J G	Cox	Hubbs	Phillips	Stanley
Anderson	Cunningham	Hurd	Plank	Steele
Apgar	Dodd	Kavanaugh	Platt	Stevens
Bass	Donovan	Knapp	Pratt	Sullivan
Becker	Dowling	La Fetra	Prentice	Tenjost
Bedell	Ellis	La Rue	Prince	Thompson G F
Beebe	Etzel	Leggett	Reeve	Thompson J A
Beihilf	Evans	Machacek	Reilly	Thonet
Bird	Everett	Maier	Rigby	Tompkins
Bisland	Fish	Malloy	Rosenstein	Wade
Brady	Fitzsimons	Mathews T F	Salomon	Wagner
Brooks	Foelker	Matthews C R	Sammon	Wadsworth
Burnett	Foster	McKeown	Santee	Wainwright
Burns	Francisco	McManus	Schoeneck	Wedemeyer
Burzynski	Freidel	Mead	Scovill	West
Byrne	Gardner	Miller	Shanahan	Whitney F G
Cadin	Gates	Monroe	Sheehy	Whitney G H
Cahn	Grattan	Moreland	Sheldon	Wiegand
Callahan	Gray	Murphy	Shuttleworth	Wilsnack
Carrier	Gurnett	Newton	Slocum	Wilson
Caughlan	Hackett	Nugent	Smith A P	Wood F C
Charles E E	Hanford	Ogden	Smith A E	Wood F X
Charles W B	Hapeman	Palmer	Smith J E	Yale
Cooke	Hartman	Parker	Smith J T	Young
Coon	Hastings	Patton		

Those who voted in the negative were:

Fuller Grady

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1110) entitled "An act to amend the Lien Law, relative to conditional sales of ensilage cutters, feed cutters, cash registers" (Int. No. 928), was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 144

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Pendry	Smith R H
Allen F E	Cox	Hornidge	Perry	Standart
Allen J G	Cunningham	Hubbs	Phillips	Stanley
Anderson	Dale	Hurd	Plank	Steele
Apgar	Dodd	Kavanaugh	Platt	Stevens
Bass	Donovan	Knapp	Pratt	Sullivan
Becker	Dowling	La Fetra	Prentice	Tenjost
Bedell	Ellis	La Rue	Prince	Thompson G F
Beebe	Etzel	Leggett	Quinn	Thompson J A
Beihlf	Evans	Lewis	Reeve	Tompkins
Bird	Everett	Maier	Reilly	Waddell
Bisland	Fish	Malloy	Rigby	Wade
Brady	Fitzsimons	Mathews T F	Rogers	Wagner
Brooks	Foelker	Matthews C R	Rosenstein	Wadsworth
Burnett	Francisco	McKeown	Salomon	Wainwright
Burns	Freidel	McManus	Sammon	Wedemeyer
Burzynski	Fuller	Mead	Santee	West
Byrne	Gardner	Merritt	Schoeneck	Wemple
Cadin	Gates	Miller	Scovill	Whitney F G
Cahn	Grady	Monroe	Shanahan	Whitney G H
Callahan	Grattan	Moreland	Sheehy	Wiegand
Carrier	Gray	Murphy	Sheldon	Wilsnack
Caughlan	Gurnett	Newton	Sherry	Wilson
Charles E E	Hackett	Nugent	Shuttleworth	Wolf
Charles W B	Hammond	Ogden	Slocum	Wood F C
Cooke	Hapeman	O'Neill	Smith A P	Wood F X
Coon	Hartman	Palmer	Smith A E	Yale
Cotton	Hastings	Parker	Smith J E	Young
Coutant	Hooker	Patton	Smith J T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1438) entitled "An act to amend the Lien Law, relative to liens of apartment hotel keepers" (Int. No. 1152), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 142

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Kavanaugh	Phillips	Standart
Allen F E	Dale	Knapp	Plank	Stanley
Allen J G	Donovan	La Fetra	Platt	Steele
Anderson	Dowling	La Rue	Pratt	Stevens
Apgar	Ellis	Leggett	Prentice	Sullivan
Bass	Etzel	Lewis	Prince	Tenjost
Becker	Evans	Machacek	Quinn	Thompson G F
Bedell	Fish	Maier	Reeve	Thompson J A
Beebe	Foelker	Malloy	Reilly	Thonet
Beihliff	Foster	Mathews T F	Rigby	Tompkins
Bird	Francisco	Matthews C R	Rogers	Waddell
Bisland	Freidel	McKeown	Rosenstein	Wade
Brady	Fuller	McManus	Salomon	Wagner
Burnett	Gardner	Mead	Sammon	Wadsworth
Burns	Gates	Merritt	Santee	Wainwright
Burzynski	Grady	Miller	Schoeneck	Wedemeyer
Byrne	Grattan	Monroe	Scovill	West
Cadin	Gray	Moreland	Shanahan	Wemple
Cahn	Gurnett	Murphy	Sheehy	Whitney F G
Callahan	Hackett	Newton	Sheldon	Whitney G H
Carrier	Hammond	Nugent	Sherry	Wiegand
Caughlan	Hanford	Ogden	Shuttleworth	Wilsnack
Charles E E	Hapeman	O'Neill	Slocum	Wilson
Charles W B	Hartman	Palmer	Smith A P	Wolf
Cooke	Hastings	Parker	Smith A E	Wood F C
Cotton	Hooker	Patton	Smith J E	Wood F X
Coutant	Hooper	Pendry	Smith J T	Yale
Cowan	Hornidge	Perry	Smith R H	Young
Cox	Hurd			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1383) entitled "An act to reappropriate certain unexpended balances of former appropriations" (Int. No. 1126), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hurd	Perry	Smith R H
Allen F E	Dodd	Kavanaugh	Phillips	Standart
Allen J G	Donovan	Knapp	Plank	Stanley
Anderson	Ellis	La Fetra	Platt	Steele
Apgar	Etzel	La Rue	Pratt	Stevens
Bass	Evans	Leggett	Prentice	Sullivan
Becker	Fish	Lewis	Prince	Tenjust
Bedell	Fitzsimons	Machacek	Quinn	Thompson G F
Beebe	Foelker	Maier	Reeve	Thompson J A
Beihilf	Foster	Malloy	Reilly	Thonet
Bird	Francisco	Mathews T F	Rigby	Tompkins
Bisland	Freidel	Matthews C R	Rogers	Waddell
Brady	Fuller	McKeown	Rosenstein	Wade
Brooks	Gardner	McManus	Salomon	Wagner
Burnett	Gates	Mead	Sammon	Wadsworth
Burns	Grady	Merritt	Santee	Wainwright
Burzynski	Gray	Miller	Schoeneck	Wedemeyer
Byrne	Gurnett	Monroe	Scovill	West
Cahn	Hackett	Moreland	Shanahan	Wemple
Callahan	Hammond	Murphy	Sheehy	Whitney F G
Carrier	Hanford	Newton	Sheldon	Whitney G H
Caughlan	Hapeman	Nugent	Sherry	Wiegand
Charles E E	Hartman	Ogden	Shuttleworth	Wilsnack
Charles W B	Hastings	O'Neill	Slocum	Wolf
Cooke	Hooker	Palmer	Smith A P	Wood F C
Cotton	Hooper	Parker	Smith A E	Wood F X
Coutant	Hornidge	Patton	Smith J E	Yale
Cowan	Hubbs	Pendry	Smith J T	Young
Cox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1623) entitled "An act to authorize the city of Elmira to issue its bonds for the construction of a bridge or the reconstructing and repairing of an existing bridge across the Chemung river in the city of Elmira" (Int. No. 1045), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 144

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Perry	Standart
Allen F E	Cunningham	Hubbs	Phillips	Stanley
Allen J G	Dale	Hurd	Plank	Steele
Anderson	Dodd	Kavanaugh	Platt	Stevens
Apgar	Donovan	Knapp	Pratt	Sullivan
Bass	Dowling	La Fetra	Prentice	Tenjost
Becker	Ellis	La Rue	Prince	Thompson G F
Bedell	Evans	Leggett	Quinn	Thompson J A
Beebe	Everett	Lewis	Reeve	Thonet
Beihilf	Fish	Machacek	Reilly	Tompkins
Bird	Fitzsimons	Malloy	Rigby	Waddell
Brady	Foelker	Mathews T F	Rogers	Wade
Brooks	Foster	Matthews C R	Rosenstein	Wagner
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Gates	Miller	Scovill	Wemple
Cahn	Grady	Monroe	Shanahan	Whitney F G
Callahan	Gray	Moreland	Sheehy	Whitney G H
Carrier	Gurnett	Murphy	Sheldon	Wiegand
Caughlan	Hackett	Newton	Sherry	Wilsnack
Charles E E	Hammond	Nugent	Shuttleworth	Wilson
Charles W B	Hanford	Ogden	Slocum	Wolf
Cooke	Hapeman	O'Neill	Smith A P	Wood F C
Coon	Hartman	Palmer	Smith A E	Wood F X
Cotton	Hastings	Parker	Smith J E	Yale
Coutant	Hooker	Patton	Smith J T	Young
Cowan	Hooper	Pendry	Smith R H	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1538) entitled "An act to enable the towns constituting the county of Nassau to fix and pay an annual compensation to certain town officers therein in addition to the disbursements of said town officers in the performance of their duties" (Int. No. 1204), having been announced for a third reading,

On motion of Mr. Miller, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1676) entitled "An act to amend the Code of Civil Procedure, in relation to the evidence and damages in actions for libel" (Int. No. 942), having been announced for a third reading,

On motion of Mr. Prentice, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1108) entitled "An act to repeal article 4 of the Navigation Law relating to the port of Albany" (Int. No. 926), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 146

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Pendry	Smith R H
Allen F E	Cunningham	Hubbs	Perry	Standart
Allen J G	Dale	Hurd	Phillips	Stanley
Anderson	Dodd	Kavanaugh	Plank	Steele
Apgar	Donovan	Knapp	Platt	Stevens
Bass	Dowling	La Petra	Pratt	Sullivan
Becker	Ellis	La Rue	Prentice	Tenjost
Bedell	Etzel	Leggett	Prince	Thompson G F
Beebe	Evans	Lewis	Quinn	Thompson J A
Beihlf	Fish	Machacek	Reeve	Thonet
Bird	Fitzsimons	Maier	Reilly	Tompkins
Bisland	Foelker	Malloy	Rigby	Waddell
Brady	Foster	Mathews T F	Rogers	Wade
Brooks	Francisco	Matthews C R	Rosenstein	Wagner
Burnett	Freidel	McKeown	Salomon	Wadsworth
Burns	Fuller	McManus	Sammon	Wainwright
Burzynski	Gardner	Mead	Santee	Wedemeyer
Byrne	Gates	Merritt	Schoeneck	West
Cadin	Grady	Miller	Scovill	Wemple
Cahn	Grattan	Monroe	Shanahan	Whitney F G
Callahan	Gray	Moreland	Sheehy	Whitney G H
Carrier	Gurnett	Murphy	Sheldon	Wiegand
Caughlan	Hackett	Newton	Sherry	Wilsnack
Charles E E	Hammond	Nugent	Shuttleworth	Wilson
Charles W B	Hanford	Ogden	Slocum	Wolf
Cooke	Hapeman	O'Neill	Smith A P	Wood F C
Coon	Hastings	Palmer	Smith A E	Wood F X
Cotton	Hooker	Parker	Smith J E	Yale
Coutant	Hooper	Patton	Smith J T	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1123) entitled "An act to repeal chapter 20 of the Laws of 1894, entitled 'An act to provide for the better administration of justice in the town of Mohawk, in the county of Mont-

gomery, and State of New York,' as amended" (Int. No. 937), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 142

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hubbs	Phillips	Standart
Allen F E	Cunningham	Hurd	Plank	Stanley
Allen J G	Dale	Kavanaugh	Platt	Steele
Anderson	Dodd	La Fetra	Pratt	Stevens
Apgar	Donovan	La Rue	Prentice	Sullivan
Bass	Dowling	Leggett	Prince	Tenjust
Becker	Etzel	Lewis	Quinn	Thompson G F
Bedell	Evans	Maier	Reeve	Thompson J A
Beebe	Everett	Malloy	Reilly	Thonet
Beihilf	Fish	Mathews T F	Rigby	Tompkins
Bird	Fitzsimons	Matthews C R	Rogers	Waddell
Bisland	Foelker	McKeown	Rosenstein	Wade
Brady	Francisco	McManus	Salomon	Wagner
Brooks	Freidel	Mead	Sammon	Wadworth
Burnett	Fuller	Merritt	Santee	Wainwright
Burns	Gardner	Miller	Schoeneck	Wedemeyer
Burzynski	Gates	Monroe	Scovill	West
Byrne	Grady	Moreland	Shanahan	Wemple
Cadin	Grattan	Murphy	Sheehy	Whitney F G
Cahn	Gray	Newton	Sheldon	Whitney G H
Callahan	Gurnett	Nugent	Sherry	Wiegand
Carrier	Hackett	Ogden	Shuttleworth	Wilsnack
Caughlan	Hammond	O'Neill	Slocum	Wilson
Charles E E	Hanford	Palmer	Smith A P	Wolf
Charles W B	Hapeman	Parker	Smith A E	Wood F C
Coon	Hartman	Patton	Smith J E	Wood F X
Cotton	Hastings	Pendry	Smith J T	Yale
Coutant	Hooper	Perry	Smith R H	Young
Cowan	Hornidge			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1339) entitled "An act to release to Martha A. Waterman, widow of John S. Waterman, deceased, all the right, title and interest of the people of the State of New York, in and to certain real estate situated in the borough of Brooklyn, county of Kings, city and State of New York, acquired by escheat or

otherwise, upon the death of the said John S. Waterman " (Int. No. 1088), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 143

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Perry	Standart
Allen F E	Dale	Hubbs	Plank	Stanley
Allen J G	Dodd	Hurd	Platt	Steele
Anderson	Donovan	Kavanaugh	Pratt	Stevens
Apgar	Dowling	Knapp	Prentice	Sullivan
Bass	Ellis	La Fetra	Prince	Tenjost
Becker	Evans	La Rue	Quinn	Thompson G F
Bedell	Everett	Leggett	Reeve	Thompson J A
Beebe	Fish	Lewis	Reilly	Thonet
Beihilf	Fitzsimons	Maier	Rigby	Tompkins
Bird	Foelker	Malloy	Rogers	Waddell
Bisland	Foster	Mathews T F	Rosenstein	Wade
Brady	Francisco	Matthews C R	Salomon	Wagner
Brooks	Freidel	McKeown	Sammon	Wadsworth
Burnett	Fuller	McManus	Santee	Wainwright
Burns	Gardner	Mead	Schoeneck	Wedemeyer
Burzynski	Gates	Merritt	Scovill	West
Byrne	Grady	Miller	Shanahan	Wemple
Cadin	Grattan	Monroe	Sheehy	Whitney F G
Cahn	Gray	Moreland	Sheldon	Whitney G H
Callahan	Gurnett	Murphy	Sherry	Wiegand
Caughlan	Hackett	Newton	Shuttleworth	Wilsnack
Charles E E	Hammond	Nugent	Slocum	Wilson
Charles W B	Hanford	Ogden	Smith A P	Wolf
Cooke	Hapeman	O'Neill	Smith A E	Wood F C
Coon	Hartman	Palmer	Smith J E	Wood F X
Cotton	Hastings	Parker	Smith J T	Yale
Cowan	Hooker	Patton	Smith R H	Young
Cox	Hooper	Pendry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1348) entitled "An act to amend the Code of Criminal Procedure, relative to support of bastards" (Int. No. 1097), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 145

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Pendry	Smith R H
Allen F E	Cox	Hooper	Perry	Standart
Allen J G	Cunningham	Hornidge	Phillips	Stanley
Anderson	Dale	Hubbs	Plank	Steele
Apgar	Dodd	Hurd	Platt	Stevens
Bass	Donovan	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjust
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihliff	Everett	Lewis	Reeve	Thonet
Bird	Fish	Maier	Reilly	Tompkins
Bisland	Fitzsimons	Malloy	Rigby	Waddell
Brady	Foelker	Mathews T F	Rogers	Wade
Brooks	Foster	Matthews C R	Rosenstein	Wagner
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Gates	Miller	Scovill	Wemple
Cahn	Grady	Monroe	Shanahan	Whitney F G
Callahan	Grattan	Moreland	Sheehy	Whitney G H
Carrier	Gray	Murphy	Sheldon	Wiegand
Caughlan	Gurnett	Newton	Sherry	Wilsnaek
Charles E E	Hackett	Nugent	Shuttleworth	Wilson
Charles W B	Hammond	Ogden	Slocum	Wolf
Cooke	Hanford	O'Neill	Smith A P	Wood F C
Coon	Hapeman	Palmer	Smith A E	Wood F X
Cotton	Hartman	Parker	Smith J E	Yale
Coutant	Hastings	Patton	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1388) entitled "An act for the relief of Thomas Conley" (Int. No. 1131), having been announced for a third reading,

On motion of Mr. Hackett, said bill was recommitted to the committee on commerce and navigation, retaining its place on the order of third reading.

The bill (No. 1230) entitled "An act to amend the Code of Civil Procedure, relative to the partition and sale of real property of incompetents" (Int. No. 1020), was read the third time, having

been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 145

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Pendry	Smith R H
Allen F E	Dale	Hubbs	Perry	Standart
Allen J G	Dodd	Hurd	Phillips	Stanley
Anderson	Donovan	Kavanaugh	Plank	Steele
Apgar	Ellis	Knapp	Platt	Stevens
Bass	Etzel	La Fetra	Pratt	Sullivan
Becker	Evans	La Rue	Prentice	Tenjost
Bedell	Everett	Leggett	Prince	Thompson G F
Beebe	Fish	Lewis	Quinn	Thompson J A
Beihliff	Fitzsimons	Machacek	Reeve	Thonet
Bird	Foelker	Maier	Reilly	Tompkins
Bisland	Foster	Malloy	Rigby	Waddell
Brady	Francisco	Mathews T F	Rogers	Wade
Brooks	Freidel	Matthews C R	Rosenstein	Wagner
Burnett	Fuller	McKeown	Salomon	Wadsworth
Burns	Gardner	McManus	Sammon	Wainwright
Burzynski	Gates	Mead	Santee	Wedemeyer
Byrne	Grady	Merritt	Schoeneck	West
Cadin	Grattan	Miller	Scovill	Wemple
Cahn	Gray	Monroe	Shanahan	Whitney F G
Callahan	Gurnett	Moreland	Sheehy	Whitney G H
Caughlan	Hackett	Murphy	Sheldon	Wlegand
Charles E E	Hammond	Newton	Sherry	Wilsnack
Charles W B	Hanford	Nugent	Shuttleworth	Wilson
Cooke	Hapeman	Ogden	Slocum	Wolf
Coon	Hartman	O'Neill	Smith A P	Wood F C
Cotton	Hastings	Palmer	Smith A E	Wood F X
Coutant	Hooker	Parker	Smith J E	Yale
Cowan	Hooper	Patton	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1721) entitled "An act to amend chapter 667 of the Laws of 1868, entitled 'An act to enable Conrad Poppenhusen to found an institution in the village of College Point'" (Int. No. 318), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Pendry	Smith R H
Allen F E	Dale	Hubbs	Perry	Standart
Allen J G	Dodd	Hurd	Phillips	Stanley
Anderson	Donovan	Kavanaugh	Plank	Steele
Apgar	Dowling	Knapp	Platt	Stevens
Bass	Ellis	La Fetra	Pratt	Sullivan
Becker	Etzel	La Rue	Prentice	Tenjost
Bedell	Evans	Leggett	Prince	Thompson G F
Beebe	Everett	Lewis	Quinn	Thompson J A
Beihlf	Fish	Machacek	Reeve	Thonet
Bird	Fitzsimons	Maier	Reilly	Tompkins
Bisland	Foelker	Malloy	Rigby	Waddell
Brady	Foster	Mathews T F	Rogers	Wade
Brooks	Francisco	Matthews C R	Rosenstein	Wagner
Burnett	Freidel	McKeown	Salomon	Wadsworth
Burns	Fuller	McManus	Sammon	Wainwright
Burzynski	Gardner	Mead	Santee	Wedemeyer
Byrne	Gates	Merritt	Schoeneck	West
Cadin	Grady	Miller	Scovill	Wemple
Callahan	Grattan	Monroe	Shanahan	Whitney F G
Carrier	Gray	Moreland	Sheehy	Whitney G H
Caughlan	Gurnett	Murphy	Sheldon	Wiegand
Charles E E	Hackett	Newton	Sherry	Wilsnack
Charles W B	Hammond	Nugent	Shuttleworth	Wilson
Cooke	Hanford	Ogden	Slocum	Wolf
Coon	Hapeman	O'Neill	Smith A P	Wood F C
Cotton	Hartman	Palmer	Smith A E	Wood F X
Coutant	Hastings	Parker	Smith J E	Yale
Cowan	Hooker	Patton	Smith J T	Young
Cox	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1722) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the salaries of the record clerks of the court of general sessions" (Int. No. 461), having been announced for a third reading.

Mr. Young moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 17, strike out the word "eight" and substitute the word "five."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1718) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues approaching the bridge over Prospect avenue at Seeley street, borough of Brooklyn, in the city of New York" (Int. No. 940), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 146

NOES 1

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Patton	Smith R H
Allen F E	Cunningham	Hornidge	Pendry	Standart
Allen J G	Dale	Hubbs	Perry	Stanley
Anderson	Dodd	Hurd	Phillips	Steele
Apgar	Donovan	Kavanaugh	Plank	Stevens
Bass	Dowling	Knapp	Platt	Sullivan
Becker	Ellis	La Fetra	Pratt	Tenjust
Bedell	Etzel	La Rue	Prentice	Thompson G F
Beebe	Evans	Leggett	Prince	Thompson J A
Beihilf	Everett	Lewis	Quinn	Thonet
Bird	Fish	Machacek	Reeve	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoeneck	West
Cadin	Gates	Merritt	Scovill	Wemple
Callahan	Grady	Miller	Shanahan	Whitney F G
Carrier	Grattan	Monroe	Sheehy	Whitney G H
Caughtlan	Gray	Moreland	Sheldon	Wiegand

Charles E E	Gurnett	Murphy	Sherry	Wilsnack
Charles W B	Hackett	Newton	Shuttleworth	Wilson
Cooke	Hammond	Nugent	Slocum	Wolf
Coon	Hanford	Ogden	Smith A P	Wood F C
Cotton	Hartman	O'Neill	Smith A E	Wood F X
Coutant	Hastings	Palmer	Smith J E	Yale
Cowan	Hooker	Parker	Smith J T	Young

In the negative:

Cahn

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1714) entitled "An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' relating to the disposition of the tax paid in such city by agents or foreign fire insurance corporations" (Int. No. 981), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 145

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hastings	Parker	Smith R H
Allen F E	Cox	Hooker	Patton	Standart
Allen J G	Cunningham	Hooper	Pendry	Stanley
Anderson	Dale	Hornidge	Perry	Steele
Apgar	Dodd	Hubbs	Phillips	Stevens
Bass	Donovan	Hurd	Plank	Sullivan
Becker	Dowling	Kavanaugh	Platt	Tenjost
Bedell	Ellis	Knapp	Pratt	Thompson G F
Beebe	Etzel	La Fetra	Prentice	Thompson J A
Beihlf	Evans	La Rue	Prince	Thonet
Bird	Everett	Leggett	Quinn	Tompkins
Bisland	Fish	Lewis	Reeve	Waddell
Brady	Fitzsimons	Maier	Reilly	Wade
Brooks	Foelker	Malloy	Rigby	Wagner
Burnett	Foster	Mathews T F	Rosenstein	Wadsworth
Burns	Francisco	Matthews C R	Salomon	Wainwright
Burzynski	Freidel	McKeown	Sammon	Wedemeyer
Byrne	Fuller	McManus	Santee	West
Cadin	Gardner	Mead	Schoeneck	Wemple
Cahn	Gates	Merritt	Shanahan	Whitney F G
Callahan	Grady	Miller	Sheehy	Whitney G H

Carrier	Grattan	Monroe	Sheldon	Wiegand
Caughlan	Gray	Moreland	Sherry	Wilsnack
Charles E E	Gurnett	Murphy	Shuttleworth	Wilson
Charles W B	Hackett	Newton	Slocum	Wolf
Cooke	Hammond	Nugent	Smith A P	Wood F C
Coon	Hanford	Ogden	Smith A E	Wood F X
Cotton	Hapeman	O'Neill	Smith J E	Yale
Coutant	Hartman	Palmer	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1717) entitled "An act to amend the Greater New York charter, relative to the certification of public records by the comptroller" (Int. No. 1116), having been announced for a third reading.

Mr. Tompkins moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 16, strike out the words "except as otherwise provided by" and the whole of lines 17, 18 and 19.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1719) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relative to commissioners of charities and correction" (Int. No. 1151), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 145

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Pendry	Smith R H
Allen F E	Cox	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjust
Bedell	Etsel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihilf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Maier	Reilly	Tompkins
Bisland	Fitzsimons	Malloy	Rigby	Waddell
Brady	Foelker	Mathews T F	Rogers	Wade
Brooks	Foster	Matthews C R	Rosenstein	Wagner
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Gates	Miller	Scovill	Wemple
Cahn	Grady	Monroe	Shanahan	Whitney F G
Callahan	Grattan	Moreland	Sheehy	Whitney G H
Carrier	Gurnett	Murphy	Sheldon	Wiegand
Caughlan	Hackett	Newton	Sherry	Wilsnack
Charles E E	Hammond	Nugent	Shuttleworth	Wilson
Charles W B	Hanford	Ogden	Slocum	Wolf
Cooke	Hapeman	O'Neill	Smith A P	Wood F C
Coon	Hartman	Palmer	Smith A E	Wood F X
Cotton	Hastings	Parker	Smith J E	Yale
Coutant	Hooker	Patton	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1720) entitled "An act to amend the Greater New York charter, in relation to entry of order of commissioner of estimate" (Int. No. 1193), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Pendry	Standart
Allen F E	Cox	Hooper	Perry	Stanley
Allen J G	Cunningham	Hornidge	Plank	Steele
Anderson	Dale	Hubbs	Platt	Stevens

Apgar	Donovan	Hurd	Pratt	Sullivan
Bass	Dowling	Kavanaugh	Prentice	Thonet
Becker	Ellis	Knapp	Prince	Thompson G F
Bedell	Etzel	La Rue	Quinn	Thompson J A
Beebe	Evans	Leggett	Reeve	Thonet
Beihilf	Everett	Lewis	Reilly	Thompson
Bird	Fish	Machacek	Rigby	Waddell
Bisland	Fitzsimons	Maier	Rogers	Wade
Brady	Foelker	Mathews T F	Rosenstein	Wagner
Brooks	Foster	Mathews C R	Salomon	Wadsworth
Burnett	Francisco	McKeown	Sammon	Wainwright
Burns	Freidel	McManus	Santee	Wedemeyer
Burzynski	Fuller	Mead	Schoeneck	West
Byrne	Gardner	Merritt	Scovill	Wemple
Cadin	Gates	Miller	Shanahan	Whitney F G
Cahn	Grady	Monroe	Sheldon	Whitney G H
Callahan	Grattan	Moreland	Sherry	Wiegand
Carrier	Gray	Murphy	Shuttleworth	Wilsnack
Caughlan	Gurnett	Newton	Slocum	Wilson
Charles E E	Hackett	Nugent	Smith A P	Wolf
Charles W B	Hammond	Ogden	Smith A E	Wood F C
Cooke	Hanford	O'Neill	Smith J E	Wood F X
Coon	Hapeman	Palmer	Smith J T	Yale
Cotton	Hartman	Parker	Smith R H	Young
Coutant	Hastings	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1716) entitled "An act to amend chapter 858 of the Laws of 1867, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Onondaga,' relative to the time of filing statement of unpaid taxes by the county treasurer of Onondaga county" (Int. No. 968), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 142

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Patton	Smith J T
Allen F E	Dale	Hubbs	Pendry	Smith R H
Allen J G	Dodd	Hurd	Perry	Standart
Anderson	Donovan	Kavanaugh	Phillips	Stanley
Apgar	Dowling	Knapp	Plank	Steele

Bass	Ellis	La Fetra	Platt	Stevens
Becker	Etzel	La Rue	Pratt	Sullivan
Bedell	Evans	Leggett	Prentice	Tenjost
Beebe	Everett	Lewis	Prince	Thompson G F
Beihilf	Fish	Machacek	Quinn	Thompson J A
Bird	Fitz-simons	Maier	Reeve	Thonet
Bisland	Foelker	Malloy	Reilly	Tompkins
Brady	Foster	Mathews T F	Rigby	Wade
Burnett	Francisco	Matthews C R	Rogers	Wagner
Burns	Freidel	McKeown	Rosenstein	Wadsworth
Burzynski	Fuller	McManus	Salomon	Wainwright
Byrne	Gardner	Mead	Sammon	Wedemeyer
Cadin	Gates	Merritt	Santee	West
Cahn	Grady	Miller	Schoeneck	Wemple
Callahan	Grattan	Monroe	Scovill	Whitney F G
Carrier	Gray	Moreland	Shanahan	Whitney G H
Caughlan	Gurnett	Murphy	Sheehy	Wiegand
Charles E E	Hackett	Newton	Sheldon	Wilsnack
Charles W B	Hammond	Nugent	Shuttleworth	Wilson
Cooke	Hanford	Ogden	Slocum	Wood F C
Coon	Hartman	O'Neill	Smith A P	Wood F X
Cotton	Hastings	Palmer	Smith A E	Yale
Coutant	Hooker	Parker	Smith J E	Young
Cowan	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1715) entitled "An act to amend the Highway Law, relative to extraordinary repairs of highways or bridges" (Int. No. 403), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 37

NOES 47

Those who voted in the affirmative were:

Allen F E	Dowling	Hubbs	Patton	Tenjost
Bedell	Evans	Hurd	Prentice	Thonet
Beebe	Foelker	Knapp	Rigby	Wiegand
Burnett	Grattan	Lewis	Scovill	Wilsnack
Callahan	Hartman	Maier	Stanley	Wood F C
Caughlan	Hastings	Ogden	Steele	Yale
Coutant	Hooker	O'Neill	Stevens	Young
Dodd	Hooper			

Those who voted in the negative were:

Bass	Foster	Pendry	Santee	Thompson G F
Bisland	Gardner	Perry	Schoeneck	Tompkins
Brady	Hammond	Phillips	Shanahan	Wadsworth

Cahn	Hanford	Platt	Sheldon	Wainwright
Carrier	La Fetra	Pratt	Sherry	West
Charles W B	La Rue	Prince	Shuttleworth	Wemple
Coon	Mathews T F	Reeve	Slocum	Whitney G H
Cox	Moreland	Rogers	Smith J E	Wolf
Cunningham	Murphy	Rosenstein	Standart	Wood F X
Donovan	Palmer			

Mr. Hooker moved to reconsider the vote by which said bill was lost, and that said motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1701) entitled "An act to amend chapter 206 of the Laws of 1902, entitled 'An act in relation to the removal of the remains of deceased soldiers from potter's field and neglected or abandoned cemeteries to incorporated cemeteries which are properly cared for and to provide for a soldiers' plot in such cemeteries and to defray the expenses of obtaining plots and for the removals and reinterment of the remains of deceased soldiers and to provide for the annual care of soldiers' plots in cemeteries,' providing for the payment of certain expenses by the county" (Int. No. 334), which was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 145

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Pendry	Smith R H
Allen F E	Cox	Hooper	Perry	Standart
Allen J G	Dale	Hornidge	Phillips	Stanley
Anderson	Dodd	Hubbs	Plank	Steele
Apgar	Donovan	Hurd	Platt	Stevens
Bass	Dowling	Kavanaugh	Pratt	Sullivan
Becker	Ellis	Knapp	Prentice	Tenjust
Bedell	Etsel	La Fetra	Prince	Thompson G F
Beebe	Evans	La Rue	Quinn	Thompson J A
Beihlf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell

Brady	Foelker	Mathews T F	Rogers	Wade
Brooks	Foster	Matthews C R	Rosenstein	Wagner
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Gates	Miller	Scovill	Wemple
Cahn	Grady	Monroe	Shanahan	Whitney F G
Callahan	Grattan	Moreland	Sheehy	Whitney G H
Carrier	Gray	Murphy	Sheldon	Wiegand
Caughlan	Gurnett	Newton	Sherry	Wilsnack
Charles E E	Hackett	Nugent	Shuttleworth	Wilson
Charles W B	Hammond	Ogden	Slocum	Wolf
Cooke	Hanford	O'Neill	Smith A P	Wood F C
Coon	Hapeman	Palmer	Smith A E	Wood F X
Cotton	Hartman	Parker	Smith J E	Yale
Coutant	Hastings	Patton	Smith J T	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The bill (No. 1723) entitled "An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' relative to the salary of deputy receiver of taxes" (Int. No. 813), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Pendry	Smith R H
Allen F E	Cunningham	Hubbs	Perry	Standart
Allen J G	Dale	Hurd	Phillips	Stanley
Anderson	Dodd	Kavanaugh	Plank	Steele
Apgar	Donovan	Knapp	Platt	Stevens
Bass	Dowling	La Fetra	Pratt	Sullivan
Becker	Ellis	La Rue	Prentice	Tenjust
Bedell	Etzel	Leggett	Prince	Thompson G F
Beebe	Evans	Lewis	Quinn	Thompson J A
Beihilf	Everett	Machacek	Reeve	Thonet
Bird	Fish	Maier	Reilly	Tompkins
Bisland	Fitzsimons	Malloy	Rigby	Waddell
Brady	Foelker	Mathews T F	Rogers	Wade

Brooks	Foster	Matthews C R	Rosenstein	Wagner
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Gates	Miller	Scovill	Wemple
Cahn	Grady	Monroe	Shanahan	Whitney F G
Callahan	Grattan	Moreland	Sheehy	Whitney G H
Carrier	Gray	Murphy	Sheldon	Wiegand
Caughlan	Gurnett	Newton	Sherry	Wilsnack
Charles E E	Hackett	Nugent	Shuttleworth	Wilson
Charles W B	Hammond	Ogden	Slocum	Wolf
Cooke	Hanford	O'Neill	Smith A P	Wood F C
Coon	Hapeman	Palmer	Smith A E	Wood F X
Cotton	Hartman	Parker	Smith J E	Yale
Coutant	Hooker	Patton	Smith J T	Young
Cowan	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1724) entitled "An act to amend the State Charities Law, by providing for the management of the New York State Training School for Boys, and the commitment thereto of boys under the age of 16 years" (Int. No. 1173), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1646) entitled "An act to amend the charter of the city of Hudson, generally" (Int. No. 881), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 82

NOES 41

Those who voted in the affirmative were:

Allen F E	Cunningham	Hooper	Patton	Steele
Allen J G	Dowling	Hubbs	Pendry	Stevens
Bass	Etsel	Hurd	Platt	Tenjust
Becker	Evans	Knapp	Pratt	Thompson G F
Bedell	Foelker	La Rue	Prentice	Waddell

Beebe	Foster	Lewis	Reeve	Wadsworth
Beihliff	Freidel	Maier	Rogers	Wainwright
Bisland	Gardner	Matthews C R	Santee	West
Brady	Gates	Mead	Schoeneck	Wemple
Brooks	Grattan	Miller	Scovill	Whitney F G
Burnett	Gray	Monroe	Shuttleworth	Whitney G H
Cadin	Hammond	Moreland	Smith A P	Wilsnack
Callahan	Hanford	Murphy	Smith J E	Wilson
Carrier	Hapeman	Newton	Smith J T	Wood F X
Coon	Hartman	Ogden	Standart	Yale
Cotton	Hastings	Parker	Stanley	Young
Coutant	Hooker			

Those who voted in the negative were:

Anderson	Cooke	Hornidge	Quinn	Slocum
Bird	Dodd	La Fetra	Reilly	Smith A E
Burns	Donovan	Malloy	Rigby	Tompkins
Burzynski	Ellis	Mathews T F	Rosenstein	Wade
Byrne	Fitzsimons	Palmer	Salomon	Wagner
Cahn	Fuller	Phillips	Shanahan	Wiegand
Caughlan	Grady	Plank	Sheldon	Wolf
Charles E E	Hackett	Prince	Sherry	Wood F C
Charles W B				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 293) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 4 of article 7 of the Constitution in relation to the time within which debts of the State must be paid and striking from said section certain limitations" (Rec. No. 100), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1266) entitled "An act to regulate the cutting and harvesting of ice in the public waters of the State" (Int. No. 772), having been announced for a second reading,

On motion of Mr. Phillips, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1509) entitled "An act to amend the Insurance Law in relation to life and casualty insurance corporations upon the cooperative or assessment plan" (Int. No. 635), having been announced for a second reading,

On motion of Mr. Lewis, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 529) entitled "An act to amend the Election Law, by providing for a special registration of electors absent from the State" (Int. No. 488), was read the second time.

On motion of Mr. F. C. Wood, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1549) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' relative to jurors" (Int. No. 1211), was read the second time.

On motion of Mr. Pendry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1700) entitled "An act to amend the Railroad Law, in relation to the consent of property owners to the construction of street railroads in the county of Kings" (Int. No. 612), was read the second time.

On motion of Mr. Pendry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1500) entitled "An act to amend the Tax Law, in relation to the notice of completion of assessment roll and grievance day" (Int. No. 606), was read the second time.

On motion of Mr. West, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 968) entitled "An act to provide for the payment of the claim of James R. F. Kelly and William D. Kelley, against the city of New York, for work and labor done and services rendered and materials furnished for a sewer on East Two Hundred and Fourth street, in said city" (Int. No. 826), was read the second time.

On motion of Mr. La Fetra, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1381) entitled "An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants" (Int. No. 1124), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1548) entitled "An act to amend the Agricultural Law, in relation to the collection and dissemination of agricultural statistics" (Int. No. 1210), was read the second time.

On motion of Mr. Parker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1702) entitled "An act to amend the Forest, Fish and Game Law, in relation to herring nets in Hudson and Delaware rivers and adjacent waters" (Int. No. 1295), was read the second time.

On motion of Mr. Coutant, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1338) entitled "An act to amend the Forest, Fish and Game Law, relative to selling woodcock, grouse and quail in Orange county" (Int. No. 1087), was read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading.

On motion of Mr. Bedell, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hurd	Phillips	Stanley
Anderson	Dodd	Kavanaugh	Plank	Steele
Apgar	Donovan	Knapp	Platt	Stevens
Bass	Dowling	La Fetra	Pratt	Sullivan
Becker	Ellis	La Rue	Prince	Thompson G F
Bedell	Etzal	Leggett	Quinn	Thompson J A
Beebe	Everett	Lewis	Reeve	Thonet
Beihilf	Fish	Maier	Reilly	Tompkins
Bird	Fitzsimons	Malloy	Rigby	Waddell
Bisland	Foelker	Mathews T F	Rogers	Wade
Brooks	Foster	Matthews C R	Rosenstein	Wagner
Brnnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Gardner	Mead	Santee	Wedemeyer

Byrne	Gates	Miller	Schoeneck	West
Cadin	Grady	Monroe	Scovill	Wemple
Cahn	Grattan	Moreland	Shanahan	Whitney F G
Callahan	Gray	Murphy	Sheehy	Whitney G H
Carrier	Gurnett	Newton	Sheldon	Wiegand
Caughlan	Hammond	Nugent	Sherry	Wilsnack
Charles E E	Hanford	Ogden	Shuttleworth	Wilson
Charles W B	Hapeman	O'Neill	Slocum	Wolf
Cooke	Hartman	Palmer	Smith A P	Wood F C
Coon	Hastings	Parker	Smith A E	Wood F X
Cotton	Hooker	Patton	Smith J T	Yale
Coutant				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1385) entitled "An act to amend the Liquor Tax Law, in relation to two violations of the law during term of one certificate" (Int. No. 1128), was read the second time.

On motion of Mr. Freidel, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1490) entitled "An act to amend the Forest, Fish and Game Law, relative to woodcock, grouse or quail in Orange county" (Int. No. 1181), was read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading.

On motion of Mr. Bedell, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Pendry	Smith R H
Allen F E	Cox	Hooper	Perry	Standart
Allen J G	Cunningham	Hubbs	Phillips	Stanley
Anderson	Dale	Hurd	Platt	Steele
Apgar	Dodd	Kavanaugh	Pratt	Stevens
Bass	Donovan	Knapp	Prentice	Sullivan
Becker	Ellis	La Rue	Prince	Tenjust
Bedell	Etzel	Lewis	Quinn	Thompson G F

Beebe	Evans	Machacek	Reeve	Thompson J A
Belhelf	Everett	Maier	Reilly	Thonet
Bird	Fish	Malloy	Rigby	Waddell
Bisland	Fitzsimons	Mathews T F	Rogers	Wade
Brady	Foelker	Matthews C R	Rosenstein	Wagner
Brooks	Foster	McKeown	Salomon	Wadsworth
Burnett	Francisco	McManus	Sammon	Wainwright
Burns	Freidel	Mead	Santee	Wedemeyer
Burzynski	Fuller	Merritt	Schoeneck	West
Byrne	Gardner	Miller	Scovill	Wemple
Cadin	Gates	Monroe	Shanahan	Whitney F G
Cahn	Grady	Moreland	Sheehy	Whitney G H
Callahan	Grattan	Murphy	Sheldon	Wiegand
Carrier	Gurnett	Newton	Sherry	Wilsnack
Caughlan	Hackett	Nugent	Shuttleworth	Wilson
Charles F E	Hammond	Ogden	Slocum	Wolf
Charles W B	Hanford	O'Neill	Smith A P	Wood F C
Coon	Hapeman	Palmer	Smith A E	Wood F X
Cotton	Hartman	Parker	Smith J E	Yale
Coutant	Hastings	Patton	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1205) entitled "An act to amend the Forest, Fish and Game Law, in relation to the pollution of streams " (Int. No. 944), having been announced for a second reading,

On motion of Mr. Fuller, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1386) entitled "An act to amend the Liquor Tax Law, in relation to the violation and the penalties for a violation of such law twice during the term of any one certificate " (Int. No. 1129), was read the second time.

On motion of Mr. Freidel, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 713) entitled "An act to amend the Municipal Court Act of the city of New York, relative to the jurisdiction of such court " (Int. No. 633), was read the second time.

On motion of Mr. Fuller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 21) entitled "An act in relation to Greene avenue and Madison street in the borough of Brooklyn, city of New York " (Int. No. 21), was read the second time.

On motion of Mr. Pendry, said bill was placed on the order of third reading.

On motion of Mr. Pendry, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 142

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hubbs	Perry	Smith R H
Allen F E	Cunningham	Hurd	Phillips	Standart
Allen J G	Dale	Kavanaugh	Plank	Stanley
Anderson	Dodd	Knapp	Platt	Steele
Apgar	Donovan	La Fetra	Pratt	Stevens
Bass	Dowling	La Rue	Prentice	Sullivan
Becker	Etzel	Leggett	Prince	Tenjost
Bedell	Evans	Lewis	Quinn	Thompson G F
Beebe	Everett	Machacek	Reeve	Thompson J A
Beihilf	Fish	Maier	Reilly	Thonet
Bird	Fitzsimons	Malloy	Rigby	Tompkins
Bisland	Foelker	Mathews T F	Rogers	Waddell
Brady	Foster	Matthews C R	Rosenstein	Wade
Brooks	Freidel	McKeown	Salomon	Wagner
Burnett	Fuller	McManus	Sammon	Wadsworth
Burns	Gardner	Mead	Santee	Wainwright
Burzynski	Gates	Miller	Schoeneck	Wedemeyer
Cadin	Grady	Monroe	Scovill	West
Cahn	Grattan	Moreland	Shanahan	Wemple
Callahan	Gray	Murphy	Sheehy	Whitney F G
Carrier	Gurnett	Newton	Sheldon	Whitney G H
Caughlan	Hackett	Nugent	Sherry	Wiegand
Charles E E	Hammond	Ogden	Shuttleworth	Wilsnack
Charles W B	Hapeman	O'Neill	Slocum	Wilson
Cooke	Hartman	Palmer	Smith A P	Wolf
Coon	Hastings	Parker	Smith A E	Wood F C
Cotton	Hooker	Patton	Smith J E	Yale
Coutant	Hooper	Pendry	Smith J T	Young
Cowan	Hornidge			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1318) entitled "An act to legalize the action of the biennial town meeting of the town of Lawrence, county of St. Lawrence, in voting upon a town proposition for the purchase of a stone crushing machine and an engine to operate the same, and authorizing the town board and commissioner of highways

in such town to purchase such stone crushing machine and engine" (Int. No. 1072), was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 418) entitled "An act to amend the Civil Service Law, relating to the qualification of applicants for civil service examinations" (Int. No. 386), was read the second time.

On motion of Mr. Murphy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1451) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' relative to the appointment of an additional assistant clerk" (Int. No. 1165), was read the second time.

On motion of Mr. Young, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 187, Assembly reprint No. 1018) entitled "An act to amend chapter 394 of the Laws of 1904, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the duties of the commissioner" (Rec. No. 58), was read the second time.

On motion of Mr. Cox, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 667) entitled "An act to amend chapter 28 of the Laws of 1882, entitled 'An act for the support of the poor in the town of Oswegatchie, in the county of St. Lawrence'" (Rec. No. 166), was read the second time.

On motion of Mr. Plank, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 760) entitled "An act to legalize the acts of Frank Phinney, of Sempronius, Cayuga county, N. Y., performed as notary public in April, 1890" (Rec. No. 138), was read the second time.

On motion of Mr. Maier, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 579) entitled "An act to amend the Executive Law, relative to the number of notaries public" (Rec. No. 150), was read the second time.

On motion of Mr. Gurnett, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate returned the bill (No. 508, Senate reprint No. 896) entitled "An act to release to Ralph A. Dawson and his heirs and assigns the interest of the State in certain lands in the town of Southampton, Suffolk county, N. Y." (Int. No. 176), with a message that they have concurred in the passage of the same with the following amendment:

Page 2, line 9, strike out the period and insert a comma, and add the words "nor any action or proceeding now pending."

Mr. Reeve moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 138

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hurd	Platt	Stanley
Allen F E	Dale	Kavanaugh	Pratt	Steele
Allen J G	Dodd	La Fetra	Prentice	Stevens
Anderson	Donovan	La Rue	Prince	Sullivan
Apgar	Dowling	Leggett	Quinn	Tenjest
Bass	Ellis	Machacek	Reeve	Thompson G F
Becker	Etzel	Maier	Reilly	Thompson J A
Bedell	Evans	Malloy	Rigby	Thonet
Beebe	Fish	Mathews T F	Rogers	Tompkins
Beihilf	Fitzsimons	Matthews C R	Rosenstein	Waddell
Bird	Foelker	McKeown	Salomon	Wade
Bisland	Francisco	McManus	Sammon	Wagner
Brady	Freidel	Mead	Santee	Wadsworth
Brooks	Fuller	Merritt	Schoeneck	Wainwright
Burnett	Gardner	Miller	Scovill	Wedemeyer

Burns	Gates	Monroe	Shanahan	West
Burzynski	Grady	Moreland	Sheehy	Wemple
Byrne	Grattan	Murphy	Sheldon	Whitney F G
Cadin	Gray	Newton	Sherry	Whitney G H
Callahan	Gurnett	Nugent	Shuttleworth	Wiegand
Carrier	Hackett	Ogden	Slocum	Wilsnack
Caughlan	Hanford	O'Neill	Smith A P	Wilson
Charles E E	Hapeman	Palmer	Smith A E	Wolf
Charles W B	Hastings	Parler	Smith J E	Wood F C
Coon	Hooker	Patton	Smith J T	Wood F X
Cotton	Hooper	Perry	Smith R H	Yale
Cowan	Hornidge	Phillips	Standart	Young
Cox	Hubbs	Plank		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

Mr. Gates called up the Assembly bill (No. 813) entitled "An act to amend the County Law, in relation to the power of the board of supervisors of any county to sell, assign, transfer or set over a judgment obtained in the Court of Claims by such county against the State of New York" (Int. No. 222), heretofore recalled from the Governor pursuant to concurrent resolution of the Senate and Assembly.

Mr. Gates moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES '00

Those who voted in the affirmative were:

Agnew	Dale	Hubbs	Pendry	Standart
Allen F E	Dodd	Hurd	Perry	Stanley
Allen J G	Donovan	Kavanaugh	Phillips	Steele
Anderson	Dowling	Knapp	Plank	Stevens
Bass	Ellis	La Rue	Platt	Sullivan
Bedell	Etzel	Leggett	Pratt	Tenjost
Beebe	Everett	Lewis	Prentice	Thompson G F
Beihlf	Fish	Machacek	Prince	Thompson J A
Bird	Fitzsimons	Maier	Quinn	Tompkins
Bisland	Foelker	Malloy	Reeve	Waddell
Brooks	Foster	Mathews T F	Rigby	Wade

Burnett	Francisco	Matthews C R	Rogers	Wagner
Burns	Freidel	McKeown	Salomon	Wadsworth
Burzynski	Fuller	McManus	Sammon	Wedemeyer
Byrne	Gardner	Mead	Santee	West
Cadin	Gates	Merritt	Schoeneck	Wemple
Cahn	Grady	Miller	Scovill	Whitney F G
Carrier	Grattan	Monroe	Sheehy	Whitney G H
Caughlan	Gray	Moreland	Sheldon	Wilsnack
Charles E E	Gurnett	Murphy	Sherry	Wilson
Charles W B	Hammond	Newton	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Cotton	Hartman	O'Neill	Smith A E	Wood F X
Coutant	Hastings	Palmer	Smith J E	Yale
Cowan	Hooper	Parker	Smith J T	Young
Cunningham	Hornidge	Patton	Smith R H	

Mr. Gates moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Page 2, line 17, after the word "interest" insert the word "but."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hooker, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Murphy called up the Assembly bill (No. 271) entitled "An act authorizing the police commissioner of the city of New York to rehear the charges upon which John W. Nelson, formerly a patrolman in the police department of said city, was dismissed from said department and to reinstate him in his former position" (Int. No. 271), heretofore recalled from the Senate pursuant to resolution of the Assembly.

Mr. Murphy moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hubbs	Phillips	Standart
Allen F E	Dodd	Hurd	Plank	Stanley
Allen J G	Donovan	Knapp	Platt	Steele
Anderson	Ellis	La Fetra	Pratt	Stevens
Apgar	Etzel	Leggett	Prentice	Sullivan
Bass	Evans	Lewis	Prince	Tenjost
Becker	Kverett	Machacek	Quinn	Thompson G F
Bedell	Fish	Malloy	Reeve	Thompson J A
Beebe	Fitzsimons	Mathews T F	Rigby	Thonet
Beihlf	Foster	Matthews C R	Rogers	Tompkins
Bird	Francisco	McKeown	Rosenstein	Waddell
Bisland	Freidel	McManus	Salomon	Wagner
Brooks	Fuller	Mead	Sammon	Wadsworth
Burnett	Gardner	Merritt	Schoeneck	Wainwright
Burns	Grady	Miller	Scovill	Wedemeyer
Byrne	Grattan	Monroe	Shanahan	West
Cadin	Gray	Moreland	Sheehy	Wemple
Cahn	Gurnett	Murphy	Sheldon	Whitney F G
Callahan	Hackett	Nugent	Sherry	Whitney G H
Carrier	Hammond	Ogden	Shuttleworth	Wiegand
Charles E E	Hanford	O'Neill	Slocum	Wilson
Charles W B	Hapeman	Palmer	Smith A P	Wolf
Coon	Hartman	Parker	Smith A E	Wood F C
Cotton	Hastings	Patton	Smith J E	Wood F X
Coutant	Hooker	Pendry	Smith J T	Yale
Cowan	Hooper	Perry	Smith R H	Young
Cunningham	Hornidge			

Mr. Murphy moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, after line 4, add a new section as follows:

"§ 2. This act shall take effect immediately."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

Mr. Hammond offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 699, entitled "An act to amend the Real Prop-

erty Law, relative to the postponement or subordination of liens upon real property" (Int. No. 210), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 699, entitled "An act to amend the Real Property Law, relative to the postponement or subordination of liens upon real property" (Int. No. 210), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the bill (No. 306, Senate reprint No. 519) entitled "An act to amend chapter 905 of the Laws of 1896, entitled 'An act to incorporate the city of Watervliet, generally'" (Int. No. 289), with a message that said bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be: "Shall this bill pass notwithstanding the objection of the mayor of the city of Watervliet thereto."

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James G. Cutler, mayor of the city of Rochester, returning Assembly bill No. 462, entitled "An act to authorize the issue and sale of bonds by the city of Rochester, to provide money with which to pay the debt of said city incurred in paying certain interests on the water bonds of said city" (Int. No. 433), with a message that said mayor and common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, *March*, 1905.*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 699, Int. No. 210), entitled "An act to amend the Real Property Law, relative to the postponement or subordination of liens upon real property."

FRANK W. HIGGINS.

Mr. Rogers moved that all further proceedings under the close call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Rogers, the House adjourned.

FRIDAY, MARCH 31, 1905.

The House met pursuant to adjournment.

Mr. Rogers in the chair.

Prayer by Rev. A. H. Lucas.

On motion of Mr. Burnett, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Hubbs was excused until Wednesday, April 5.

Mr. Grattan introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William Hill against the State of New York for salary due him for services rendered to the State of New York while employed as purchasing steward's clerk in the office of Mr. F. A. Wheeler, purchasing steward for the Long Island and Manhattan State Hospital, under civil service appointment" (Int. No. 1364), which was read the first time and referred to the committee on claims.

Mr. Knapp introduced a bill entitled "An act to amend the Forest, Fish and Game Law, relative to the transportation of

fish caught in the waters of Missisquoi bay and the tributaries to said bay in the Province of Quebec, and the Richelieu river in said province " (Int. No. 1365), which was read the first time.

On motion of Mr. Knapp, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on fisheries and game.

Mr. O'Neill introduced a bill entitled "An act to prohibit the construction of any railroad on Livingston street in the borough of Brooklyn in the city of New York " (Int. No. 1366), which was read the first time and referred to the committee on affairs of cities.

Mr. Murphy introduced a bill entitled "An act to amend the Greater New York charter, relative to Anniversary day, so-called, as a holiday in the public schools of the borough of Brooklyn, city of New York " (Int. No. 1367), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to provide for the expense of widening Livingston street in the borough of Brooklyn, in the city of New York " (Int. No. 1368), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Wilson introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Matthew Edgar, William John Edgar, John Dowd, Thomas Parker and James H. Akins against the State of New York for damages arising out of the erection and maintenance of the sewage disposal plant of the Western House of Refuge for Women at Albion, N. Y." (Int. No. 1369), which was read the first time and referred to the committee on claims.

Mr. Rogers, from the committee on ways and means, to which was referred the bill introduced by Mr. Rogers, Int. No. 1243, entitled "An act to amend the State Finance Law, in relation to the education fund " (No. 1598), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Rogers, from the committee on ways and means, to which was referred the bill introduced by Mr. Rogers, Int. No. 1249, entitled "An act transferring the unexpended balance in the fund for the enlargement of the Erie, the Oswego and the Cayuga and Seneca canals and for the completion of the Black River and Genesee Valley canals and for the enlargement of locks of the Champlain canal, to the canal debt sinking fund" (No. 1604), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Rogers, from the committee on ways and means, reported by bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1373), which was read the first time, and said committee reports in favor of the passage of the same without amendment, which report was agreed to and said bill ordered printed and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Steele, Int. No. 1290, entitled "An act to amend section 53 of chapter 565 of the Laws of 1895, as amended by chapter 199, Laws of 1898, and by chapter 289, Laws of 1899, and by chapter 271, Laws of 1902, and by chapter 595, Laws of 1904, relative to the annual tax levy in the city of Little Falls" (No. 1670), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Moreland, Int. No. 1253, entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' as amended, relative to assessments" (No. 1608), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. F. E. Allen, Int. No. 1221, entitled "An act to authorize the city of Binghamton to expend

a sum of money, not exceeding \$10,000, in the purchase and improvement of lands at the junction of the Chenango and Susquehanna rivers in said city, for a public park, and to issue bonds therefor" (No. 1559), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wainwright, Int. No. 1160, entitled "An act to authorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor" (No. 1446), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tenjost, Int. No. 836, entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots and erecting, completing and enlarging school buildings" (No. 978), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tompkins, Int. No. 767, entitled "An act to amend the Greater New York charter so as to authorize the issue of corporate stock in order to provide for deficiencies arising from uncollectable taxes" (No. 882), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Dowling, Int. No. 662, entitled "An act to amend the Municipal Law, relative to debts, bonds and taxes for pavement purposes" (No. 743), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Reilly, Int. No. 193, entitled "An act to provide for the acquisition of certain real estate and wharf property in the borough of Brooklyn for playground and recreative purposes" (No. 193), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Grady, Int. No. 1102, entitled "An act to provide for a boulevard or parkway in the borough of Brooklyn, county of Kings, city of New York" (No. 1361), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Grady, Int. No. 1101, entitled "An act authorizing the police commissioner of the city of New York to allow a pension to the widow of James McGowan, a former patrolman of the police department of the city of New York" (No. 1360), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Neill, Int. No. 1042, entitled "An act to amend the Greater New York charter relative to the police department of the city of New York" (No. 1237), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stevens, Int. No. 835, entitled "An act to create a new boundary line between the Sixth and Twelfth wards of the city of Troy" (No. 977), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stanley, Int. No. 681, entitled "An act to authorize a further appropriation for the maintenance of the American Museum of Natural History in the Central park of the city of New York" (No. 769), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. La Rue, Int. No. 1301, entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown'" (No. 1708), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. La Rue, Int. No. 1300, entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown,' as amended by chapter 399 of the Laws of 1903, in relation to the amount of money to be raised for the use of the board of education" (No. 1707), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gardner, Int. No. 1283, entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' relative to additional bonds for street pavements and the erection of a fire house, and the issue of bonds therefor" (No. 1663), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Beihlf, Int. No. 1280, entitled "An act to amend the Tenement House Act in relation

to fire escapes " (No. 1660), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Neill, Int. No. 1259, entitled "An act to provide for the acquisition of certain real estate, and to lay out a playground in the borough of Brooklyn " (No. 1644), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wedemeyer, Int. No. 1231, entitled "An act to incorporate the Staten Island Association of Arts and Sciences and to provide for the care and housing of its museum and library by the city of New York " (No. 1565), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. La Fetra, Int. No. 1230, entitled "An act to authorize the expenditure by the city of New York of money for the proper celebration of Memorial day in the year 1905 " (No. 1564), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. La Fetra, Int. No. 1229, entitled "An act to amend the Greater New York charter so as to confer power upon the board of estimate and apportionment to appropriate money for the proper observance of Memorial day in the city of New York " (No. 1563), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Donovan, Int. No. 1208, entitled "An act authorizing and directing the city of Troy to

pay certain awards made against it for waterworks purposes and to issue its bonds for the purpose of raising money with which to make such payment" (No. 1546), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. G. F. Thompson, Int. No. 1258, entitled "An act to authorize the city of Lockport to borrow money, by the issue of bonds, to make needed repairs to Hawley street school building and to improve the heating, ventilating and closet system therein" (No. 1613), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wemple, Int. No. 1289, entitled "An act to amend section 3 of title 1 of chapter 371 of the Laws of 1903, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' by amending section 3 in relation to the boundaries of the Ninth ward" (No. 1669), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McKeown, Int. No. 1264, entitled "An act to amend the Greater New York charter, in relation to the salary of justices of the court of special sessions" (1669), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hapeman, Int. No. 1292, entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and

the several acts amendatory thereof " (No. 1675), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sullivan, Int. No. 1011, entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow and also authorizing the comptroller of the city of New York to pay to certain persons compensation for services actually rendered to the city of New York in the school board in the year 1899 " (No. 1221), reported in favor of the passage of the same with the following amendment:

Page 1, line 2, after the word "empowered" insert the words "in its discretion."

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rosenstein, Int. No. 965, entitled "An act authorizing the board of education of the city of New York to provide for the construction of swimming pools and the employment of instructors thereat " (No. 1163), reported in favor of the passage of the same with the following amendment:

Page 1, line 2, after the word "authorized" insert the words "in its discretion."

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Schoeneck, Int. No.

1190, entitled "An act to provide for the erection of a new high school in the city of Syracuse" (No. 1499), reported in favor of the passage of the same with the following amendments:

Page 1, line 1, strike out "James W. Pennock" and insert in the place thereof, "William Spaulding."

Same page, lines 2 and 3, strike out "Willis A. Holden" and insert in place thereof, "Liston A. Witherill."

Page 6, line 16, after the word "three" insert "and one-half."

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rogers, Int. No. 1284, entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' authorizing the city of Niagara Falls to issue sewer bonds, and to legalize sewer bonds of said city already issued, and to provide for the payment of certain deficiencies in the city funds existing on January 1, 1905" (No. 1664), reported in favor of the passage of the same with the following amendments:

Page 3, line 11, strike out the word "being" and insert in place thereof the words "to pay."

Same page, line 12, after the word "five" insert the following, "the salaries omitted from the tax budget for the year nineteen hundred and five."

Same page, line 14, after the word "deficit" insert the words "and salaries."

Same page, line 15, after the word "deficit" insert the words "and salaries."

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which

was recommitted the bill introduced by Mr. La Fetra, Int. No. 1145, entitled "An act to amend the Greater New York charter, relative to the salaries of officers" (No. 1627), retaining its place on the order of second reading, reported in favor of the passage of the same with the following amendments:

Page 3, line 1, after the word "shall" strike out the word "not."

Same page, line 5, after the word "and" insert the word "two" in brackets, and underline the word "six."

Same page, lines 5 and 6, enclose in brackets the words "by the board of aldermen."

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Freidel, Int. No. 507, entitled "An act to amend the act to provide for rapid transit railways in cities of over 1,000,000 inhabitants; relative to the construction of elevated railways in city streets" (No. 556), reported the same with the following amendment, and request that said bill be recommitted to said committee:

Page 5, line 6, after the words "New York" insert the words "This act shall not be construed as to prohibit the construction on Delancey street, east of Norfolk street, of such structure as may be necessary to permit cars from the Williamsburg Bridge to enter a subway at proper grade."

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill, Rec. No. 207, entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the compensation of the commissioner of public works of such

city" (No. 905), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hill, Rec. No. 157, entitled "An act to create and establish a department of forestry for the planting, transplanting and removal of trees and for caring of same in the city of Buffalo" (No. 639), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Malby, Rec. No. 55, entitled "An act to authorize the city of Ogdensburg to borrow money for the purpose of erecting, repairing and furnishing school buildings in said city and to issue bonds therefor" (No. 290), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

On motion of Mr. Burnett, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Burnett, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hurd	Pratt	Steele
Allen F E	Dale	Knapp	Prentice	Stevens
Allen J G	Dodd	La Rue	Prince	Sullivan
Anderson	Donovan	Leggett	Quinn	Tenjost
Apgar	Dowling	Machacek	Reeve	Thompson G F

Bass	Ellis	Maier	Reilly	Thompson J A
Becker	Etzel	Mathews T F	Rigby	Thonet
Bedell	Evans	Matthews C R	Rogers	Tompkins
Beebe	Everett	McKeown	Salomon	Waddell
Beihliff	Fish	McManus	Sammon	Wade
Bird	Foelker	Mead	Santee	Wagner
Brady	Foster	Merritt	Schoeneck	Wadsworth
Brooks	Francisco	Miller	Scovill	Wainwright
Burnett	Freidel	Monroe	Shanahan	Wedemeyer
Burns	Fuller	Moreland	Sheehy	West
Byrne	Gardner	Newton	Sheldon	Wemple
Cadin	Grady	Nugent	Sherry	Whitney F G
Cahn	Grattan	Ogden	Shuttleworth	Whitney G H
Callahan	Gurnett	O'Neill	Slocum	Wiegand
Carrier	Hackett	Palmer	Smith A P	Wilsnack
Caughlan	Hammond	Parker	Smith A E	Wilson
Charles E E	Hanford	Patton	Smith J E	Wolf
Charles W B	Hapeman	Pendry	Smith J T	Wood F C
Cooke	Hartman	Perry	Smith R H	Wood F X
Coon	Hooker	Phillips	Standart	Yale
Coutant	Hooper	Plank	Stanley	Young
Cowan	Hubbs	Platt		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Burnett, from the committee on affairs of cities, to which was recommitted the Senate bill introduced by Mr. Lewis, Rec. No. 104, entitled "An act to assess the cost and expense of constructing a bridge over the railroad tracks on Main street east, in the city of Rochester, on the property benefited thereby" (No. 394), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. F. E. Allen, Int. No. 1220, entitled "An act to amend the County Law, relating to the salary of the county judge and surrogate of Broome county" (No. 1558), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Foelker, Int. No. 1297, entitled "An act to provide for the compensation of the transcribers or copyists of old or mutilated records in the office of

the clerk of the county of Kings" (No. 1704), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Mead, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Burr, Rec. No. 142, entitled "An act to amend chapter 723 of the Laws of 1895, entitled 'An act in relation to religious corporations, constituting chapter 42 of the general laws,' relative to obtaining title to property of an extinct church, parish or religious society" (No. 650), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Mead, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. White, Rec. No. 165, entitled "An act extending the powers of the trustees of the Thousand Island Park Association, and to regulate and control the construction and repair of sidewalks upon the roads, streets and avenues of said association" (No. 779), reported in favor of the passage of the same with the following amendments:

Page 2, line 13, change the word "leasee" to "lessee."

Page 4, line 2, after the word "that" insert the word "at;" also after the word "time" insert the words "and place."

Same page, line 3, strike out the words "and place."

CHAS. W. MEAD,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hammond, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants." (No. 1381, Int. No. 1124.)

"An act to amend the Municipal Court Act of the city of New

York, relative to the jurisdiction of such court." (No. 713, Int. No. 633.)

"An act to legalize the action of the biennial town meeting of the town of Lawrence, county of St. Lawrence, in voting upon a town proposition for the purchase of a stone crushing machine and an engine to operate the same, and authorizing the town board and commissioner of highways in such town to purchase such stone crushing machine and engine." (No. 1318, Int. No. 1072.)

"An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' relative to the appointment of an additional assistant clerk." (No. 1451, Int. No. 1165.)

"An act to amend the Forest, Fish and Game Law, in relation to herring nets in Hudson and Delaware rivers and adjacent waters. (No. 1702, Int. No. 1295.)

"An act to amend the Agricultural Law, in relation to the collection and dissemination of agricultural statistics." (No. 1548, Int. No. 1210.)

"An act to amend the Election Law, by providing for a special registration of electors absent from the State." (No. 529, Int. No. 488.)

"An act to provide for the payment of the claim of James R. F. Kelly and William D. Kelley, against the city of New York, for work and labor done and services rendered and materials furnished for a sewer on East Two Hundred and Fourth street, in said city." (No. 968, Int. No. 826.)

"An act to legalize, ratify and confirm a special election held in the village of Hoosick Falls, county of Rensselaer, for the purpose of voting upon a proposition submitted thereat for the purchase by such village of certain real property and the issuance of bonds for the payment of the purchase price thereof, and for the erection and equipment of a village building thereon." (No. 1437, Int. No. 1150.)

"An act compelling steamboat corporations to provide transfer facilities for passengers." (No. 1761, Int. No. 717.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1385) entitled "An act to amend the Liquor Tax Law, in relation to two violations of the law during term of one certificate" (Int. No. 1128), reported the same with the following recommendations:

Page 1, line 3, insert a comma after the word "liquors."

Page 4, line 8, insert a comma after the word "based."

Page 5, line 2, after the word "as" insert the word "is."

Page 8, line 9, strike out the semicolon after the word "court" and insert a comma.

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1386) entitled "An act to amend the Liquor Tax Law, in relation to the violation and the penalties for a violation of such law twice during the term of any one certificate" (Int. No. 1129), reported the same with the following recommendations:

Page 1, line 3, insert a comma after the word "liquors."

Same page, line 4, after the second word "and" insert the word "to."

Page 2, line 9, insert a comma after the word "who."

Same page, line 19, after the word "act" insert a period in brackets, underscore the comma after the word "act" and capitalize the word "and."

Page 3, line 25, after the first word "or" insert the word "any."

Page 4, line 4, after the first word "of" insert the word "said," and strike out all of line 4 after the word "chapter."

Same page, line 5, strike out the words "the laws of eighteen hundred and ninety-six."

Same page, line 11, strike out the words "so as."

Same page, line 24, insert a comma after the second word "on."

Page 6, line 3, underscore the comma after the word "convictions."

Same page, line 7, insert a comma after the word "forfeited."

Same page, line 17, insert a comma after the word "act."

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1018) entitled "An act to amend chapter 394 of the Laws of 1904, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the duties of the commissioner" (Rec. No. 58), reported the same with the following recommendations:

Page 2, line 14, after the word "applied" insert a period in brackets, and underscore the comma.

Same page, line 17, strike out the words "three hundred and ninety."

Same page, line 18, strike out the words "four of the laws of nineteen hundred and four."

Page 3, line 10, strike out the words "three hundred and ninety-four."

Same page, line 11, strike out the words "of the laws of nineteen hundred and four."

Page 4, line 6, insert a comma after the word "chapter," and strike out the words "three hundred and ninety-four."

Same page, line 7, strike out the words "of the laws of nineteen hundred and four."

Same page, line 12, strike out the word "as" and insert the word "an."

Same page, line 21, underscore the words "one tally sheet," and insert in brackets the words "tally sheets" after the word "sheet."

Same page, line 24, underscore the word "statement," and insert the word "statements" in brackets after the word "statement."

Page 5, line 6, insert a period after the word "respectively."

Same page, line 21, strike out the words "three hundred and ninety."

Same page, line 22, strike out the words "four of the laws of nineteen hundred and four."

Page 6, line 8, underscore the word "election," and insert in brackets the word "elections" after the word "election."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1560) entitled "An act to amend chapter 208 of the Laws of 1889, entitled 'An act to incorporate the fire department of the town of Newtown, Queens county, N. Y.," in relation to chiefs of such department" (Int. No. 1222), reported the same with the following recommendations:

Page 1, line 4, after the word "York" insert the words "as amended by chapter two hundred and eighty-three of the laws of eighteen hundred and ninety-one," and after the word "read" insert the word "respectively."

Same page, line 6, strike out the underscoring under the word "The."

Same page, line 8, strike out the words "first, second and."

Page 2, line 1, strike out the words "third assistant chief engineers" and insert the words "district engineers" and a comma.

Page 2, line 4, underscore the word "any" at end of line.

Page 2, line 5, strike out the comma after the word "engineer," and strike out the word "assistant."

Same page, line 6, strike out the first word "chief" and the word "it," and strike out the underscoring under the words "such vacancy," and insert the word "district" before the word "engineers."

Same page, line 8, insert a comma after the word "companies."

Same page, line 14, after the word "several" insert the word "fire."

Same page, line 19, strike out the words "first assistant chief" before the second word "engineer" and insert the word "district," and strike out the words "a second assistant chief."

Same page, strike out all of line 20 except the last word "one."

Same page, line 21, strike out the words "which," "officers," "shall," and the words "from the same company," and after the word "said" insert the words "district engineers," and before

the word "be" insert the word "to," and after the word "elected" insert the words "for each district now created or hereafter to be created by the board of trustees of the department, each of which district engineers shall be an active member of one of the fire companies in the district for which he is elected."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1700) entitled "An act to amend the Railroad Law, in relation to the consents of property owners to the construction of street railroads in the county of Kings" (Int. No. 612), reported the same with the following recommendations:

Page 2, line 5, strike out the word "eighteen" and insert the word "eight."

Page 3, line 13, after the word "deeds" and before the word "before" insert the word "or;" also, after the word "deeds" insert a comma.

Same page, line 14, after the word "witness" and before the word "and" insert a comma.

Page 5, line 6, after the word "provided" insert a comma, and after the word "however" insert a comma.

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 418) entitled "An act to amend the Civil Service Law, relating to the qualification of applicants for civil service examinations" (Int. No. 386), reported the same with the following recommendations:

Page 1, line 4, after the word "thereof" insert the words "constituting chapter three of the general laws."

Same page, line 5, strike out the words "so as."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1510) entitled "An act to amend the Tax Law, in relation to the notice of completion of assessment roll and grievance day" (Int. No. 606), reported the same with the following recommendations:

Page 2, line 1, after the word "August" insert a comma.

Same page, line 3, after the word "district" and before the word "stating" insert a comma.

Same page, line 12, after the word "hearing" and before the word "to" insert the word "and."

Same page, line 16, after the word "notice" strike out the comma, and the last letter "s" from the word "assessors."

Page 3, line 6, strike out the fourth word "such" and insert the word "said."

Same page, line 7, after the word "therein" insert the word "three."

Same page, line 8, after the word "read" insert the word "respectively."

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1549) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' relative to jurors" (Int. No. 1211), reported the same with the following recommendations:

Page 1, line 4, strike out the last word "so."

Page 2, line 8, strike out the words "persons" and insert the word "jurors."

Same page, line 20, insert a comma after the word "furnished."

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

“An act to amend the Military Code, relative to pay and allowances.” (No. 1596, Int. No. 1241.)

“An act to amend chapter 518 of the Laws of 1889, entitled ‘An act to revise the charter of the village of Mount Morris,’ in relation to the powers of the board of trustees thereof.” (No. 1346, Int. No. 1095.)

“An act to amend chapter 269 of the Laws of 1902, entitled ‘An act to incorporate the city of Plattsburgh.’” (No. 1365, Int. No. 1106.)

“An act to provide for the licensing of engineers and firemen operating a steam stationary engine or engines steam stationary boiler or boilers in the State of New York, excepting cities of the first class.” (No. 1475, Int. No. 706.)

“An act to amend the Religious Corporations Law, relative to obtaining title to property of an extinct church, parish or religious society.” (No. 1741, Int. No. 910.)

“An act to provide for annual reports by and the examination of accounts of counties, cities of the second and third classes and villages having a population of 3,000 or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities and making an appropriation therefor.” (No. 1696, Int. No. 809.)

“An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of Peter Pfeiffer and Alma V. Pfeiffer and Clarence Pfeiffer, infants, against the State of New York for damages to their real property situate on the towing path bank of the Erie canal at Durhamville, N. Y., alleged to have been caused by leakage of water from said canal.” (No. 1692, Int. No. 1054.)

“An act to legalize the issue of bonds of the town of Schroon in the county of Essex, authorized by the board of supervisors of said county for the purpose of defraying the expense of rebuilding a bridge over the Schroon river in said town, and to provide for

the payment of the principal and interest thereof." (No. 1725, Rec. No. 176.)

"An act to amend chapter 388 of the Laws of 1854, entitled 'An act to incorporate the village of Lyons,' relating to disorderly persons and the jurisdiction of the police justice." (No. 1436, Int. No. 1149.)

"An act to amend the Greater New York charter, relative to the term of the mayor, comptroller and borough presidents." (No. 1699, Int. No. 1046.)

"An act to amend section 254 of the Tax Law in relation to costs and disbursements in certiorari proceedings." (No. 1697, Int. No. 719.)

"An act to revise the charter of the city of Yonkers, and to limit the application of chapter 182 of the Laws of 1892 and the acts amendatory thereof." (No. 1331, Int. No. 1037.)

The bill (No. 892) entitled "An act to amend the Village Law, relating to the number of members of hose companies" (Int. No. 780), was read the second time.

On motion of Mr. Hooper, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1175) entitled "An act to amend the Labor Law relative to the issuance of employment certificates for employees in factories and mercantile establishments" (Int. No. 977), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1176) entitled "An act to amend the Labor Law relative to the evidence of age of minor employees in factories, mercantile and other establishments" (Int. No. 978), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1555) entitled "An act to amend chapter 323 of the Laws of 1872, entitled 'An act authorizing the election of a

receiver of taxes and assessments for the town and village of Saratoga Springs' " (Int. No. 1217), was read the second time.

On motion of Mr. G. H. Whitney, said bill was placed on the order of third reading.

On motion of Mr. G. H. Whitney, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 138

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Patton	Smith A E
Allen F E	Cowan	Hooper	Pendry	Smith J T
Allen J G	Cox	Hornidge	Perry	Smith R H
Anderson	Dale	Hubbs	Phillips	Standart
Apgar	Dodd	Hurd	Plank	Stanley
Bass	Donovan	Kavanaugh	Platt	Stevens
Becker	Dowling	Knapp	Pratt	Sullivan
Bedell	Ellis	La Fetra	Prentice	Tenjost
Beebe	Etzel	La Rue	Prince	Thompson G F
Beihlf	Evans	Leggett	Quinn	Thompson J A
Bird	Everett	Lewis	Reeve	Thonet
Bisland	Fitzsimons	Machacek	Reilly	Tompkins
Brady	Foelker	Maier	Rigby	Waddell
Brooks	Foster	Malloy	Rogers	Wagner
Burnett	Francisco	Mathews T F	Rosenstein	Wadsworth
Burns	Freidel	Mathews C R	Salomon	Wainwright
Burzynski	Fuller	McKeown	Sammon	Wedemeyer
Byrne	Gardner	McManus	Santee	West
Cadin	Gates	Mead	Schoeneck	Wemple
Cahn	Grady	Merritt	Scovill	Whitney F G
Callahan	Grattan	Monroe	Shanahan	Whitney G H
Carrier	Gray	Moreland	Sheehy	Wilson
Caughlan	Hackett	Newton	Sheldon	Wolf
Charles E E	Hammond	Nugent	Sherry	Wood F C
Charles W B	Hanford	Ogden	Shuttleworth	Wood F X
Cooke	Hapeman	O'Neill	Slocum	Yale
Coon	Hartman	Palmer	Smith A P	Young
Cotton	Hastings	Parker		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1734) entitled "An act to authorize trustees of the village of Sag Harbor, Suffolk county, to construct and main-

tain a wharf in such village ” (Int. No. 1308), was read the second time.

On motion of Mr. Reeve, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1325) entitled “An act to amend the Forest, Fish and Game Law, relative to the use of nets in Coney Island creek ” (Int. No. 1079), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1324) entitled “An act to amend the Forest, Fish and Game Law, relative to the powers of game protectors ” (Int. No. 1078), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1323) entitled “An act to amend the Forest, Fish and Game Law, relative to close season on woodcock ” (Int. No. 1077), was read the second time.

On motion of Mr. Reeve, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1320) entitled “An act to amend the Forest, Fish and Game Law, relative to grouse and woodcock not being sold ” (Int. No. 1074), was read the second time.

On motion of Mr. Reeve, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1321) entitled “An act to amend the Forest, Fish and Game Law, relative to penalties ” (Int. No. 1075), having been announced for a second reading.

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1625) entitled “An act to amend the Forest, Fish and Game Law, in relation to spearing fish in Ulster county ” (Int. No. 599), was read the second time.

On motion of Mr. Cunningham, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1322) entitled "An act to amend the Forest, Fish and Game Law, relative to Jamaica bay and adjacent waters" (Int. No. 1076), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1544) entitled "An act to amend the Forest, Fish and Game Law, in relation to close season for trout in Fall Brook creek and its tributaries in the town of Sumner Hill in the county of Cayuga" (Int. No. 1206), was read the second time.

On motion of Mr. J. G. Allen, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1458) entitled "An act to amend chapter 152 of the Laws of 1899, entitled 'An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths,' in relation to the appointment of sidepath police" (Int. No. 1172), was read the second time.

On motion of Mr. G. F. Thompson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1314) entitled "An act to repeal section 115 of the Lien Law, relating to the exemption of certain articles from the provisions of the lien law requiring the filing of contracts of conditional sale" (Int. No. 1068), having been announced for a second reading,

On motion of Mr. Burnett, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 845) entitled "An act to prohibit the docking of horses' tails, and to require a registry of all docked horses now in this State" (Int. No. 747), having been announced for a second reading,

On motion of Mr. Burnett, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1712) entitled "An act to prevent the emasculation of the national anthem, the Star Spangled Banner, in the text-books in use in the public schools of the State of New York" (Int. No. 1305), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1293) entitled "An act to amend the Compulsory Education Law regarding the powers and duties of truant officers" (Int. No. 1047), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1310) entitled "An act to amend section 6 of title 6 of the Consolidated School Law, relative to the alteration of school districts having a bonded indebtedness" (Int. No. 1064), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 711) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 2 of the town of Wawarsing, Ulster county" (Int. No. 631), was read the second time.

On motion of Mr. Cunningham, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1278) entitled "An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers'" (Int. No. 1036), was read the second time.

On motion of Mr. Rigby, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 824) entitled "An act to amend the Penal Code, in relation to the unlawful taking, copying or use of trade lists, lists of customers, subscribers, etc." (Int. No. 725), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1463) entitled "An act to amend chapter 331 of the Laws of 1898, entitled 'An act in relation to violations of the provisions of the Penal Code, relating to the manufacture or sale of spurious silverware,' by making the provisions thereof apply to the manufacture or sale of spurious goldware" (Int. No. 1177), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1444) entitled "An act to amend the Penal Code in relation to defenses to prosecutions for larceny" (Int. No. 1158), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1495) entitled "An act to amend the Penal Code, in relation to stamping or marking articles manufactured of gold or of any alloy of gold" (Int. No. 1186), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1679) entitled "An act to amend the Code of Civil Procedure relative to the qualification of a referee" (Int. No. 546), was read the second time.

On motion of Mr. O'Neill, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 798) entitled "An act to legalize and provide for the payment of certain bonds of the village of Little Valley" (Rec. No. 135), was read the second time.

On motion of Mr. Sheldon, said bill was placed on the order of third reading.

The Senate bill (No. 783) entitled "An act to validate the proceedings of the board of trustees, and of the qualified electors, of the village of Newark, relative to the submission and adoption of propositions to purchase the water works plant and system of the city water company of Newark, and to issue the bonds of said village to pay for the same, and to raise funds for the purpose of improving and extending said system, and to legalize the bonds to be issued for said purposes" (Rec. No. 170), was read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading.

On motion of Mr. Burnett, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Patton	Smith R H
Allen F E	Cunningham	Hornidge	Pendry	Standart
Allen J G	Dale	Hubbs	Perry	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjost
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihilf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth

Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoeneck	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 914) entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' in relation to establishing or acquiring a system of water works for said village, and the issuance of bonds therefor" (Rec. No. 194), was read the second time.

On motion of Mr. G. F. Thompson, said bill was placed on the order of third reading.

On motion of Mr. G. F. Thompson, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hastings	Palmer	Stanley
Allen F E	Coutant	Hooker	Parker	Steele
Allen J G	Cowan	Hooper	Patton	Stevens
Anderson	Cox	Hornidge	Pendry	Sullivan
Apgar	Cunningham	Hubbs	Perry	Tenjost
Bass	Dale	Kavanaugh	Phillips	Thompson J A
Becker	Dodd	La Petra	Plank	Thonet
Bedell	Donovan	La Rue	Pratt	Tompkins
Beebe	Dowling	Leggett	Prentice	Waddell
Beihlf	Ellis	Lewis	Prince	Wade

Bird	Evans	Maier	Quinn	Wagner
Bisland	Everett	Malloy	Reilly	Wadsworth
Brady	Fitzsimons	Mathews T F	Rigby	Wainwright
Brooks	Foelker	Matthews C R	Rosenstein	Wedemeyer
Burnett	Foster	McKeown	Salomon	West
Burns	Francisco	McManus	Sammon	Wemple
Burzynski	Freidel	Mead	Schoeneck	Whitney F G
Byrne	Gardner	Merritt	Scovill	Whitney G H
Cadin	Gates	Miller	Sheehy	Wiegand
Cahn	Grady	Monroe	Sherry	Wilsnack
Carrier	Gray	Moreland	Shuttleworth	Wilson
Callahan	Gurnett	Murphy	Smith A P	Wolf
Caughlan	Hackett	Newton	Smith A E	Wood F C
Charles E E	Hanford	Nugent	Smith J T	Wood F X
Charles W B	Hapeman	Ogden	Smith R H	Yale
Cooke	Hartman	O'Neill	Standart	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 746) entitled "An act to amend chapter 506 of the Laws of 1902, entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village and to prescribe their powers and duties,' is hereby amended so as to read as follows" (Rec. No. 204), having been announced for a second reading,

Mr. G. H. Whitney moved to amend by striking out at the end of the title the words "is hereby amended so as to read as follows."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. G. H. Whitney, said bill was ordered re-printed and placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 591) entitled "An act to amend section 38 of chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle'" (Rec. No. 145), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The Senate bill (No. 589) entitled "An act to authorize the

common council of the city of New Rochelle to procure an assessment map of said city, and to issue bonds in payment therefor" (Rec. No. 146), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The Senate bill (No. 590) entitled "An act to authorize the city of New Rochelle to compensate John Hettinger for injury to his real property caused by the grading and completing of Horton avenue and Brooks street in said city, and to authorize the issuance of certificates of indebtedness therefor" (Rec. No. 140), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The bill (No. 1134) entitled "An act to amend chapter 106 of the Laws of 1891, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville and to repeal certain acts,' relating to the appointment of inspectors of election" (Int. No. 949), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 546, Assembly reprint No. 1677) entitled "An act to provide for the safety of passengers and for protection against fire on excursion boats" (Rec. No. 110), having been announced for a third reading,

On motion of Mr. Burnett, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1687) entitled "An act authorizing the Superintendent of Public Works to investigate and report as to the acquisition of toll bridges across the Delaware river between this State and the State of Pennsylvania" (Int. No. 853), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hastings	Parker	Standart
Allen F E	Cox	Hooker	Patton	Stanley
Allen J G	Cunningham	Hooper	Pendry	Steele
Anderson	Dale	Hornidge	Phillips	Stevens
Apgar	Dodd	Hubbs	Plank	Sullivan
Bass	Donovan	Hurd	Platt	Tenjost
Becker	Dowling	Kavanaugh	Pratt	Thompson G F
Bedell	Ellis	Knapp	Prentice	Thompson J A
Beebe	Etzel	La Fetra	Quinn	Thonet
Beihilf	Evans	La Rue	Reeve	Tompkins
Bird	Everett	Leggett	Reilly	Waddell
Bisland	Fish	Lewis	Rigby	Wade
Brady	Fitzsimons	Machacek	Rosenstein	Wagner
Brooks	Foelker	Maier	Sammon	Wadsworth
Burnett	Foster	Malloy	Santee	Wainwright
Burns	Francisco	Mathews T F	Schoeneck	West
Burzynski	Freidel	Matthews C R	Scovill	Wemple
Byrne	Fuller	McKeown	Sheehy	Whitney F G
Cadin	Gardner	McManus	Sheldon	Whitney G H
Cahn	Gates	Mead	Sherry	Wiegand
Carrier	Grady	Merritt	Shuttleworth	Wilsnack
Caughlan	Grattan	Miller	Slocum	Wilson
Charles E E	Gray	Monroe	Smith A P	Wolf
Charles W B	Gurnett	Moreland	Smith A E	Wood F C
Cooke	Hackett	Newton	Smith J E	Wood F X
Coon	Hanford	Ogden	Smith J T	Yale
Cotton	Hapeman	O'Neill	Smith R H	Young
Coutant	Hartman	Palmer		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1682) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael O'Keefe against the State of New York for damages alleged to have been sustained while in the employ of the State" (Int. No. 869), having been announced for a third reading,

On motion of Mr. Burnett, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1282) entitled "An act to amend chapter 310 of the Laws of 1879, entitled 'An act to prevent the sale of lands

used for cemetery purposes,' in relation to crematories" (Int. No. 1044), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1571) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Henry F. Muringham for damages alleged to have been sustained by him at the Hudson River State Hospital" (Int. No. 649), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hubbs	Patton	Smith J E
Allen F E	Dale	Hurd	Pendry	Smith J T
Allen J G	Dodd	Kavanaugh	Perry	Smith R H
Anderson	Donovan	Knapp	Phillips	Standart
Apgar	Dowling	La Fetra	Plank	Stanley
Bass	Ellis	La Rue	Platt	Steele
Becker	Etzel	Lewis	Pratt	Thompson G F
Bedell	Evans	Leggett	Prentice	Thompson J A
Beebe	Everett	Maier	Prince	Thonet
Beihliff	Fish	Machacek	Quinn	Tompkins
Bird	Fitzsimons	Maier	Reeve	Waddell
Bisland	Foelker	Malloy	Reilly	Wade
Brady	Francisco	Mathews T F	Rigby	Wagner
Brooks	Freidel	Matthews C R	Rogers	Wadsworth
Burnett	Fuller	McKeown	Rosenstein	Wainwright
Burns	Gardner	McManus	Salomon	Wedemeyer
Byrne	Gates	Mead	Sammon	West
Cadin	Grady	Merritt	Santee	Wemple
Cahn	Grattan	Miller	Schoeneck	Whitney F G
Callahan	Gurnett	Monroe	Scovill	Whitney G H
Carrier	Hackett	Moreland	Shanahan	Wiegand
Caughlan	Hammond	Murphy	Sheehy	Wilsnack
Charles E E	Hapeman	Newton	Sheldon	Wilson
Charles W B	Hartman	Nugent	Sherry	Wood F C
Cotton	Hastings	Ogden	Shuttleworth	Wood F X
Coutant	Hooker	O'Neill	Slocum	Yale
Cowan	Hooper	Palmer	Smith A P	Young
Cox	Hornidge	Parker	Smith A E	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1570) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Auburn against the State, for a local improvement consisting of the laying (and paying for the construction of) a sidewalk in front of lands in said city upon which is located the State prison, and to render judgment therefor " (Int. No. 503), having been announced for a third reading,

On motion of Mr. Burnett, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1683) entitled "An act to authorize the Comptroller of the State to hear and determine the application of William H. Faxon for cancellation of the tax sales made by the Comptroller in 1881 and 1885, on lot No. 104 of Township 26, Totten and Crossfield's Purchase, Essex county " (Int. No. 545), having been announced for a third reading,

Mr. Hooper moved that said bill be recommitted to the committee on claims, with instructions to report the same forthwith amended as follows:

Page 2, line 7, strike out the word "rolls" and insert the word "sales."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cox, from the committee on claims, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1536) entitled "An act to authorize the city of Yonkers to borrow money and issue bonds for highway purposes in said city " (Int. No. 1202), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143

NOES 00

Those who voted in the affirmative were :

Agnew	Cox	Hurd	Phillips	Standart
Allen F E	Cunningham	Kavanaugh	Plank	Stanley
Allen J G	Dale	Knapp	Platt	Steele
Anderson	Donovan	La Fetra	Pratt	Stevens
Apgar	Dowling	La Rue	Prentice	Sullivan
Bass	Ellis	Leggett	Prince	Tenjost
Becker	Etzel	Lewis	Quinn	Thompson G F
Bedell	Everett	Machacek	Reeve	Thompson J A
Beebe	Fish	Maier	Reilly	Thonet
Beihilf	Fitzsimons	Malloy	Rigby	Tompkins
Bird	Foelker	Mathews T F	Rogers	Waddell
Bisland	Foster	Matthews C R	Rosenstein	Wade
Brady	Francisco	McKeown	Salomon	Wagner
Brooks	Freidel	McManus	Sammon	Wadsworth
Burnett	Fuller	Mead	Santee	Wainwright
Burns	Gardner	Merritt	Schoeneck	Wedemeyer
Burzynski	Gates	Miller	Scovill	West
Byrne	Grady	Monroe	Shanahan	Wemple
Cadin	Grattan	Moreland	Sheehy	Whitney F G
Cahn	Gray	Murphy	Sheldon	Whitney G H
Callahan	Gurnett	Newton	Sherry	Wiegand
Carrier	Hackett	Nugent	Shuttleworth	Wilsnack
Caughlan	Hammond	Ogden	Slocum	Wilson
Charles E E	Hanford	O'Neill	Smith A P	Wolf
Charles W B	Hapeman	Palmer	Smith A E	Wood F C
Cooke	Hartman	Parker	Smith J E	Wood F X
Coon	Hastings	Patton	Smith J T	Yale
Cotton	Hooker	Pendry	Smith R H	Young
Coutant	Hubbs	Perry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1685) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Dennis Dwyer against the State for damages alleged to have been sustained by the said Dennis Dwyer and to render judgment therefor" (Int. No. 1121), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill; and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143

NOES 00

Those who voted in the affirmative were:

Apgar	Cox	Hornidge	Pendry	Smith R H
Allen F E	Cunningham	Hubbs	Patton	Standart
Allen J G	Dale	Hurd	Phillips	Stanley
Anderson	Dodd	Kavanaugh	Plank	Steele
Apgar	Dowling	Malloy	Platt	Stevens
Bass	Ellis	La Fetra	Pratt	Sullivan
Becker	Etzel	La Rue	Prentice	Tenjost
Bedell	Evans	Leggett	Prince	Thompson G F
Beebe	Everett	Lewis	Quinn	Thompson J A
Beihilf	Fish	Machacek	Reilly	Thonet
Bird	Fitzsimons	Maier	Rigby	Tompkins
Bisland	Foelker	Malloy	Rogers	Waddell
Brady	Francisco	Mathews T F	Rosenstein	Wade
Brooks	Freidel	Matthews C R	Salomon	Wadsworth
Burnett	Fuller	McKeown	Sammon	Wainwright
Burns	Gardner	McManus	Santee	Wedemeyer
Burzynski	Gates	Mead	Schoeneck	West
Byrne	Grady	Merritt	Scovill	Wemple
Cadin	Grattan	Miller	Shanahan	Whitney F G
Cahn	Gray	Monroe	Sheehy	Whitney G H
Callahan	Gurnett	Murphy	Sheldon	Wiegand
Carrier	Hackett	Moreland	Stanley	Wilsnack
Charles E E	Hammond	Newton	Shuttleworth	Wilson
Charles W B	Hanford	Nugent	Slocum	West
Cooke	Hapeman	Ogden	Smith A P	Wood F C
Coon	Hartman	O'Neill	Smith A E	Wood F X
Cotton	Hastings	Palmer	Smith J E	Yale
Coutant	Hooker	Parker	Smith J T	Young
Cowan	Hooper	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1684) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael E. O'Connor and John N. Booth, doing business under the firm name of O'Connor & Booth, for damages alleged to have been sustained by them, and to render judgment therefor" (Int. No. 991), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Perry	Smith R H
Allen F E	Cox	Hornidge	Phillips	Standart
Allen J G	Cunningham	Hurd	Plank	Stanley
Anderson	Dale	Kavanaugh	Platt	Steele
Apgar	Dodd	Kuapp	Pratt	Stevens
Bass	Donovan	La Rue	Prentice	Sullivan
Becker	Dowling	Leggett	Prince	Tenjost
Bedell	Ellis	Lewis	Quinn	Thompson G F
Beebe	Etzel	Machacek	Reeve	Thompson J A
Beihlf	Evans	Maier	Reilly	Thonet
Bird	Everett	Malloy	Rigby	Tompkins
Bisland	Fish	Mathews T F	Rogers	Waddell
Brady	Fitzsimons	Mathews C R	Rosenstein	Wade
Brooks	Foelker	McKeown	Salomon	Wagner
Burnett	Foster	McManus	Sammon	Wadsworth
Burns	Francisco	Mead	Santee	Wainwright
Burzynski	Fuller	Merritt	Schoeneck	Wedemeyer
Byrne	Gardner	Miller	Scovill	West
Cadin	Gates	Monroe	Shanahan	Wemple
Cahn	Grady	Moreland	Sheehy	Whitney F G
Callahan	Grattan	Murphy	Sheldon	Whitney G H
Carrier	Gurnett	Newton	Sherry	Wilsnack
Caughlan	Hackett	Nugent	Shuttleworth	Wilson
Charles E E	Hammond	Ogden	Slocum	Wolf
Charles W B	Hanford	O'Neill	Smith A P	Wood F C
Cooke	Hapeman	Palmer	Smith A E	Wood F X
Coon	Hartman	Parker	Smith J E	Yale
Cotton	Hastings	Patton	Smith J T	Young
Coutant	Hooker	Pendry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1686) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Daniel F. Strobel and Dennis Moynehan, doing business under the firm name of Strobel & Moynehan, for damages alleged to have been sustained by them, and to render judgment therefor" (Int. No. 1113), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 146

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Pendry	Smith R H
Allen F E	Dale	Hubbs	Perry	Standart
Allen J G	Dodd	Hurd	Phillips	Stanley
Anderson	Donovan	Kavanaugh	Plank	Steele
Apgar	Dowling	Knapp	Platt	Stevens
Bass	Ellis	La Fetra	Pratt	Sullivan
Becker	Ftzel	Ja Rue	Prentice	Tenjost
Bedell	Evans	Leggett	Prince	Thompson G F
Beebe	Everett	Lewis	Quinn	Thompson J A
Beihlf	Fish	Machacek	Reeve	Thonet
Bird	Fitzsimons	Maier	Reilly	Tompkins
Bisland	Foelker	Malloy	Rigby	Waddell
Brady	Foster	Mathews T F	Rogers	Wade
Brooks	Francisco	Matthews C R	Rosenstein	Wagner
Burnett	Freidel	McKeown	Salomon	Wadsworth
Burns	Fuller	McManus	Sammon	Wainwright
Burzynski	Gates	Mead	Santee	Wedemeyer
Byrne	Grady	Merritt	Schoeneck	West
Cadin	Grattan	Miller	Scovill	Wemple
Cahn	Gray	Monroe	Shanahan	Whitney F G
Callahan	Gurnett	Moreland	Sheehy	Whitney G H
Carrier	Hackett	Murphy	Sheldon	Wiegand
Caughlan	Hammond	Newton	Sherry	Wilsnack
Charles E E	Hanford	Nugent	Shuttleworth	Wilson
Charles W B	Hapeman	Ogden	Slocum	Wolf
Cooke	Hartman	O'Neill	Smith A P	Wood F C
Coon	Hastings	Palmer	Smith A E	Wood F X
Cotton	Hooker	Parker	Smith J E	Yale
Cowan	Hooper	Patton	Smith J T	Young
Cox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1621) entitled "An act to amend the Greater New York charter, relative to the use of school buildings" (Int. No. 1142), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1622) entitled "An act to locate and designate a site for a public library in the borough of Brooklyn upon lands owned by the city of New York" (Int. No. 935), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1568) entitled "An act to confer on the Court of Claims jurisdiction to hear, audit and determine the claims of the personal representatives of William J. Smith for damages resulting from the death of said William J. Smith by the negligence of the State of New York through its servants and employees" (Int. No. 224), having been announced for a third reading,

On motion of Mr. Burnett, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1573) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Guy R. Burleigh against the State for damages alleged to have been sustained by him and to render judgment therefor" (Int. No. 494), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 148

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Petra	Prentice	Tenjest
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihilf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoeneck	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H

Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1569) entitled "An act to release to Peter H. L. Bradt and James J. Bradt the right, title and interest of the people of the State of New York acquired by escheat in and to certain real estate situate in the city of Niagara Falls, county of Niagara and State of New York" (Int. No. 453), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1574) entitled "An act to authorize the town of Pelham, in the county of Westchester, to acquire a site and construct a town hall in said town, and to issue bonds in payment therefor" (Int. No. 1014), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 144

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Patton	Standart
Allen F E	Cunningham	Hooper	Pendry	Stanley
Allen J G	Dale	Hornidge	Perry	Steele
Anderson	Dodd	Hubbs	Phillips	Stevens
Apgar	Donovan	Hurd	Plank	Sullivan
Bass	Dowling	Kavanaugh	Platt	Tenjust
Becker	Ellis	Knapp	Pratt	Thompson G F
Bedell	Etzel	La Fetra	Prentice	Thompson J A
Beebe	Evans	La Rue	Prince	Thonet

Beihilf	Everett	Leggett	Quinn	Tompkins
Bird	Fish	Lewis	Reeve	Waddell
Bisland	Fitzsimons	Maier	Reilly	Wade
Brady	Foelker	Malloy	Rigby	Wagner
Brooks	Foster	Mathews T F	Rogers	Wadsworth
Burnett	Francisco	Matthews C R	Rosenstein	Wainwright
Burns	Freidel	McKeown	Sammon	Wedemeyer
Burzynski	Fuller	McManus	Santee	West
Byrne	Gardner	Mead	Schoeneck	Wemple
Cadin	Gates	Merritt	Scovill	Whitney F G
Cahn	Grady	Miller	Shanahan	Whitney G H
Callahan	Grattan	Monroe	Sheehy	Wiegand
Carrier	Gray	Moreland	Sheldon	Wilsnack
Caughlan	Gurnett	Murphy	Sherry	Wilson
Charles E E	Hackett	Newton	Shuttleworth	Wolf
Charles W B	Hammond	Nugent	Slocum	Wood F C
Cooke	Hanford	Ogden	Smith A P	Wood F X
Coon	Hapeman	O'Neill	Smith A E	Yale
Cotton	Hartman	Palmer	Smith J T	Young
Coutant	Hastings	Parker	Smith R H	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1139) entitled "An act to authorize the city of Olean to acquire the Oak Lawn cemetery, and other lands, for the establishment of a public park, to provide for the removal of remains in such cemetery, and the reinterment thereof, and to authorize the issue of bonds for the purposes of the act" (Int. No. 954), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Pendry	Smith R H
Allen F E	Cunningham	Hubbs	Phillips	Standart
Allen J G	Dale	Hurd	Plank	Stanley
Anderson	Donovan	Kavanaugh	Platt	Steele
Apgar	Dowling	Knapp	Pratt	Stevens
Bass	Ellis	La Fetra	Prentice	Tenjust
Becker	Etzel	La Rue	Prince	Thompson G F
Bedell	Everett	Leggett	Quinn	Thompson J A
Beebe	Fish	Lewis	Reeve	Thonet
Beihilf	Fitzsimons	Machacek	Reilly	Tompkins
Bird	Foelker	Maier	Rigby	Wade

Bisland	Francisco	Malloy	Rogers	Wagner
Brady	Freidel	Mathews T F	Rosenstein	Wadsworth
Brooks	Fuller	Matthews C R	Salomon	Wainwright
Burnett	Gardner	McKeown	Sammon	Wedemeyer
Burns	Gates	McManus	Santee	West
Burzynski	Grady	Mead	Schoeneck	Wemple
Byrne	Grattan	Merritt	Scovill	Whitney F G
Cadin	Gray	Miller	Shanahan	Whitney G H
Cahn	Gurnett	Monroe	Sheehy	Wiegand
Callahan	Hackett	Moreland	Sheldon	Wilsnack
Caughlan	Hammond	Newton	Sherry	Wilson
Charles E E	Hanford	Nugent	Shuttleworth	Wolf
Charles W B	Hapeman	Ogden	Slocum	Wood F ^C
Cooke	Hartman	O'Neill	Smith A P	Wood F ^X
Coon	Hastings	Palmer	Smith A E	Yale
Coutant	Hooker	Parker	Smith J E	Young
Cowan	Hooper	Patton	Smith J T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1131) entitled "An act relating to the appointment of employees of the fire department of the city of New York to the uniformed force of the said department" (Int. No. 945), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hurd	Phillips	Standart
Allen F E	Dodd	Kavanaugh	Plank	Stanley
Anderson	Donovan	Knapp	Platt	Steele
Apgar	Dowling	La Fetra	Pratt	Stevens
Bass	Etzel	La Rue	Prentice	Sullivan
Becker	Evans	Leggett	Prince	Tenjost
Bedell	Everett	Lewis	Quinn	Thompson G F
Beebe	Fish	Maier	Reeve	Thompson J A
Beihlf	Fitzsimons	Malloy	Reilly	Thonet
Bird	Foelker	Mathews T F	Rigby	Tompkins
Bisland	Foster	Matthews C R	Rogers	Waddell
Brady	Francisco	McKeown	Rosenstein	Wade
Brooks	Freidel	McManus	Salomon	Wagner
Burnett	Fuller	Mead	Sammon	Wadsworth
Burns	Gardner	Merritt	Santee	Wainwright
Burzynski	Gates	Miller	Schoeneck	Wedemeyer
Byrne	Grady	Monroe	Scovill	West

Cadin	Gray	Moreland	Shanahan	Wemple
Callahan	Gurnett	Murphy	Sheehy	Whitney F G
Carrier	Hackett	Newton	Sheldon	Whitney G H
Caughlan	Hammond	Nugent	Sherry	Wiegand
Charles W B	Hapeman	Ogden	Shuttleworth	Wilsnack
Cooke	Hartman	O'Neill	Slocum	Wilson
Coon	Hastings	Palmer	Smith A P	Wolf
Cotton	Hooker	Parker	Smith A E	Wood F C
Coutant	Hooper	Patton	Smith J E	Wood F X
Cowan	Hornidge	Pendry	Smith J T	Yale
Cox	Hubbs	Perry	Smith R H	Young
Cunningham				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1303) entitled "An act providing for first and second district attorneys in the county of Oneida and providing for their salaries and prescribing their duties" (Int. No. 1057), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1358) entitled "An act to legalize the official acts of the assessors, board of trustees and collector of the village of Attica, in the county of Wyoming, in relation to taxes and local assessments during the years 1902, 1903 and 1904" (Int. No. 1099), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Patton	Smith J E
Allen F E	Cunningham	Hornidge	Pendry	Smith J T
Allen J G	Dale	Hubbs	Perry	Smith R H
Anderson	Dodd	Hurd	Phillips	Standart
Apgar	Donovan	Kavanaugh	Plank	Steele
Bass	Dowling	Knapp	Platt	Stevens
Becker	Ellis	La Fetra	Pratt	Sullivan
Bedell	Evans	La Rue	Prentice	Tenjost
Beebe	Everett	Leggett	Prince	Thompson G F

Beihlf	Fish	Lewis	Quinn	Thompson J A
Bird	Fitzsimons	Maier	Reeve	Thonet
Bisland	Foelker	Malloy	Reilly	Tompkins
Brady	Foster	Mathews T F	Rigby	Waddell
Brooks	Francisco	Matthews C R	Rogers	Wade
Burnett	Freidel	McKeown	Rosenstein	Wagner
Burns	Fuller	McManus	Salomon	Wainwright
Byrne	Gardner	Mead	Sammon	Wedemeyer
Cadin	Gates	Merritt	Santee	West
Cahn	Grady	Miller	Schoeneck	Wemple
Callahan	Grattan	Monroe	Seovill	Whitney G H
Carrier	Gray	Moreland	Shanahan	Wiegand
Caughlan	Gurnett	Murphy	Sheehy	Wilsnack
Charles E E	Hackett	Newton	Sheldon	Wolf
Charles W B	Hammond	Nugent	Sherry	Wood F C
Cooke	Hanford	Ogden	Shuttleworth	Wood F X
Cotton	Hartman	Palmer	Slocum	Yale
Coutant	Hastings	Parker	Smith A P	Young
Cowan	Hooker			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1567) entitled "An act to confer jurisdiction on the Court of Claims to hear, audit and determine the alleged claim of Michael C. Murphy against the State for damages alleged to have been sustained by him and to render judgment therefor" (Int. No. 246), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill; and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooper	Parker	Smith R H
Allen F E	Dale	Hornidge	Patton	Standart
Allen J G	Dodd	Hubbs	Pendry	Stanley
Anderson	Dowling	Hurd	Perry	Stevens
Apgar	Ellis	Kavanaugh	Phillips	Sullivan
Bass	Etzel	Knapp	Plank	Tenjust
Becker	Evans	La Petra	Platt	Thompson G F
Bedell	Everett	La Rue	Pratt	Thompson J A
Beebe	Fish	Leggett	Prentice	Thonet
Beihlf	Fitzsimons	Lewis	Prince	Tompkins
Bisland	Foelker	Machacek	Quinn	Waddell
Brady	Foster	Maier	Reeve	Wade
Brooks	Freidel	Malloy	Rigby	Wagner

Burnett	Fuller	Mathews T F	Rogers	Wadsworth
Burns	Gardner	Matthews C R	Rosenstein	Wedemeyer
Burzynski	Gates	McKeown	Salomon	West
Byrne	Grady	McManus	Santee	Wemple
Cadin	Grattan	Mead	Schoeneck	Whitney F G
Cahn	Gray	Merritt	Scovill	Whitney G H
Carrier	Gurnett	Miller	Sheehy	Wiegand
Caughlan	Hackett	Monroe	Sheldon	Wilsnack
Charles E E	Hammond	Moreland	Shuttleworth	Wilson
Charles W B	Hanford	Murphy	Slocum	Wolf
Cooke	Hapeman	Newton	Smith A P	Wood F C
Cotton	Hartman	Ogden	Smith A E	Wood F X
Coutant	Hastings	O'Neill	Smith J E	Yale
Cowan	Hooker	Palmer	Smith J T	Young
Cox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 667) entitled "An act to amend chapter 28 of the Laws of 1882, entitled 'An act for the support of the poor in the town of Oswegatchie, in the county of St. Lawrence'" (Rec. No. 166), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooper	Pendry	Standart
Allen F E	Dale	Hornidge	Perry	Stanley
Allen J G	Dodd	Hubbs	Phillips	Steele
Anderson	Donovan	Hurd	Plank	Stevens
Apgar	Dowling	Kavanaugh	Platt	Sullivan
Bass	Ellis	Knapp	Pratt	Tenjust
Becker	Etzel	La Rue	Prentice	Thompson G F
Bedell	Evans	Leggett	Prince	Thompson J A
Beebe	Everett	Lewis	Quinn	Thonet
Beihilf	Fish	Machacek	Reeve	Tompkins
Bisland	Fitzsimons	Malloy	Reilly	Waddell
Brady	Foelker	Mathews T F	Rogers	Wade
Burnett	Foster	Matthews C R	Rosenstein	Wagner
Burns	Francisco	McKeown	Salomon	Wadsworth
Burzynski	Freidel	McManus	Sammon	Wainwright
Byrne	Fuller	Mead	Santee	Wedemeyer
Cadin	Gardner	Merritt	Scovill	Wemple
Cahn	Gates	Miller	Shanahan	Whitney F G
Callahan	Grady	Monroe	Sheehy	Whitney G H
Carrier	Grattan	Moreland	Sheldon	Wiegand

Caughlan	Gray	Murphy	Sherry	Wilsnack
Charles E E	Gurnett	Newton	Slocum	Wilson
Charles W B	Hackett	Nugent	Smith A P	Wolf
Cooke	Hammond	Ogden	Smith A E	Wood F C
Coon	Hanford	O'Neill	Smith J E	Wood F X
Cotton	Hapeman	Parker	Smith J T	Yale
Cowan	Hartman	Patton	Smith R H	Young
Cox	Hastings			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 760) entitled "An act to legalize the acts of Frank Phinney, of Sempronius, Cayuga county, N. Y., performed as notary public in April, 1890 " (Rec. No. 138), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hastings	Palmer	Standart
Allen F E	Cox	Hooker	Patton	Stanley
Anderson	Cunningham	Hooper	Pendry	Steele
Apgar	Dale	Hornidge	Perry	Stevens
Bass	Dodd	Hubbs	Phillips	Sullivan
Becker	Dowling	Hurd	Plank	Tenjost
Bedell	Ellis	Kavanaugh	Platt	Thompson G F
Beebe	Etzel	Knapp	Pratt	Thompson J A
Beihihl	Evans	La Fetra	Prince	Thonet
Bird	Everett	La Rue	Quinn	Tompkins
Bisland	Fish	Leggett	Reeve	Wadsworth
Brady	Fitzsimons	Lewis	Reilly	Wainwright
Brooks	Foelker	Machacek	Rogers	Wedemeyer
Burnett	Foster	Maier	Rosenstein	West
Burns	Francisco	Malloy	Salomon	Waddell
Byrne	Freidel	Matthews C R	Sammon	Wade
Cadin	Gardner	McKeown	Schoeneck	Wemple
Cahn	Gates	McManus	Scovill	Whitney F G
Callahan	Grady	Mead	Shanahan	Whitney G H
Carrier	Grattan	Merritt	Sheehy	Wilsnack
Charles E E	Gray	Monroe	Sherry	Wilson
Charles W B	Hackett	Moreland	Shuttleworth	Wolf
Cooke	Hammond	Murphy	Smith A P	Wood F C
Coon	Hanford	Newton	Smith A E	Wood F X
Cotton	Hapeman	Nugent	Smith J E	Yale
Coutant	Hartman	O'Neill	Smith J T	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 579) entitled "An act to amend the Executive Law, relative to the number of notaries public" (Rec. No. 150), having been announced for a third reading,

On motion of Mr. Burnett, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 818) entitled "An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants" (Rec. No. 208), having been announced for a third reading,

On motion of Mr. Burnett, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

Attention being called to error in printing title of bill No. 1762, Int. No. 55, it was ordered that the State Printer be directed to reprint said bill.

Mr. Sheldon offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 517, entitled "An act to amend the Poor Law, in relation to the relief of Indians in case of epidemic" (Int. No. 291), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wadsworth offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 587, entitled "An act to amend chapter 260 of the Laws of 1903, entitled 'An act to make the office of sheriff of

Livingston county a salaried one in part, and to regulate the management thereof,' in relation to compensation of under sheriff, jailer and attendants and deputy sheriffs" (Int. No. 543), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 390, entitled "An act to amend sections 4, 53, 81 and 114 of the Agricultural Law, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws'" (Rec. No. 97), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 517, entitled "An act to amend the Poor Law, in relation to the relief of Indians in case of epidemic" (Int. No. 291), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 587, entitled "An act to amend chapter 260 of the Laws of 1903, entitled 'An act to make the office of sheriff of Livingston county a salaried one in part, and to regulate the management thereof,' in relation to compensation of under sheriff, jailer and attendants and deputy sheriffs" (Int. No. 543), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, *March 31, 1905.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 517, entitled "An act to amend the Poor Law, in relation to the relief of Indians in case of epidemic." (Int. No. 291.)

FRANK W. HIGGINS.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, *March 31, 1905.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 587, entitled "An act to amend chapter 260 of the Laws of 1903, entitled 'An act to make the office of sheriff of Livingston county a salaried one in part, and to regulate the management thereof,' in relation to compensation of under sheriff, jailer and attendants and deputy sheriffs." (Int. No. 543.)

FRANK W. HIGGINS.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend the Village Law, in relation to village elections." (No. 659, Int. No. 592.)

"An act to amend the Code of Civil Procedure, relative to exemptions of jurors from service." (No. 727, Int. No. 647.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to amend the University Law, relating to the number of Regents necessary to constitute a quorum" (No. 1578, Int. No. 495, with a message that they have reconsidered their vote by which said bill passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a mes-

sage that they have concurred in the passage of the same without amendment:

“An act to amend the Code of Criminal Procedure, relative to the persons who may be present during the sessions of a grand jury.” (No. 1047, Int. No. 450.)

“An act to amend the Code of Civil Procedure, in relation to the Supreme Court reporter.” (No. 1645, Int. No. 125.)

“An act to amend the Poor Law, relating to the relief of soldiers, sailors and their families.” (No. 610, Int. No. 407.)

“An act to amend the Code of Civil Procedure, in relation to exemptions and executions.” (No. 750, Int. No. 50.)

“An act to amend the Revised Statutes, relative to the parole of prisoners.” (No. 721, Int. No. 641.)

“An act to provide for the payment of fines, penalties or forfeitures imposed or collected for taking part in the game of policy.” (No. 91, Int. No. 91.)

“An act to amend the County Law, relative to the salaries of the county judge and the surrogate of Dutchess county.” (No. 1008, Int. No. 598.)

“An act to amend chapter 371 of the Laws of 1896, entitled ‘An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines for hawking, peddling and vending of merchandise within this State,’ in relation to auction sales.” (No. 785, Int. No. 698.)

Ordered, That the Clerk deliver said bills to the Governor.

“An act authorizing the board of estimate and apportionment of the city of New York to take proof of and pay the claim of Alfred C. Brainard, as surviving partner of E. D. Brainard & Sons, for two certain geyser fountains furnished to the city of New York.” (No. 65, Int. No. 65.)

“An act authorizing the police commissioner of the city of New York to appoint John W. Pinkley, an ex-policeman of the city of New York, who resigned from said police department, November 24, 1897.” (No. 66, Int. No. 66.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

"An act for the protection of the public health of the city of Ithaca." (No. 887, Int. No. 773.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Ithaca.

"An act to amend chapter 35 of the Laws of 1902, entitled 'An act creating a city court in and for the city of Poughkeepsie, N. Y.'" (No. 1057, Int. No. 35.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Poughkeepsie.

"An act to amend the Election Law relative to the length of time certain papers shall be kept on file by the county clerk." (No. 684, Int. No. 618.)

"An act to amend the Agricultural Law, relative to compensation to owners of animals destroyed because of tuberculosis." (No. 963, Int. No. 279.)

"An act to provide for the appointment of a deputy county treasurer for the county of Rensselaer, to act in the absence or inability of the treasurer of said county." (No. 473, Int. No. 444.)

"An act to amend chapter 44 of the Laws of 1853, entitled 'An act for the better support of the poor in the town of Newburgh in the county of Orange,' in relation to the corporate name and terms of the commissioners of the almshouse." (No. 812, Int. No. 382.)

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Burnett, the House adjourned.

MONDAY, APRIL 3, 1905.

The House met pursuant to adjournment.

Prayer by Rev. A. H. Lucas.

On motion of Mr. Rogers, the reading of the journal of Friday, March 31, 1905, was dispensed with and the same was approved.

Mr. Dale was excused until Wednesday and Mr. Prentice until Tuesday.

The privileges of the floor were extended to Messrs. Pearsall, Kennedy and James W. Husted.

Mr. Speaker presented the annual report of the Society of the New York Hospital, which was laid upon the table and ordered printed.

(See Document.)

The Senate sent for concurrence the following entitled bills:

“An act to amend article 1, section 52, of chapter 690 of the Laws of 1892, as amended by chapter 725 of the Laws of 1893, as amended by chapter 722 of the Laws of 1901, constituting chapter 38 of the general laws, and known as the Insurance Law” (No. 902, Rec. No. 219), which was read the first time and referred to the committee on insurance.

“An act to amend the Code of Criminal Procedure, relative to the suspension of sentence and probation officers” (No. 1022, Rec. No. 220), which was read the first time and referred to the committee on codes.

“An act to amend the Penal Code, relative to juvenile offenders and the suspension of sentence” (No. 1023, Rec. No. 221), which was read the first time and referred to the committee on codes.

“An act to establish a firemen’s pension fund in the city of Troy, and providing for the payment of pensions therefrom” (No. 976, Rec. No. 222), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Labor Law relating to the protection of persons employed on buildings in cities” (No. 1010, Rec. No. 223), which was read the first time and referred to the committee on labor and industries.

“An act to amend chapter 182 of the Laws of 1892, entitled ‘An act to incorporate the city of Mount Vernon,’ so as to relieve the annual tax levy from the burden of collecting delinquent taxes, reimburse the city for advances against assessments; and to regulate and legalize tax notices” (No. 977, Rec. No. 224), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' in respect to Christian associations, as amended by chapter 541 of the Laws of 1900, and by chapter 469 of the Laws of 1901" (No. 995, Rec. No. 225), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to ward boundaries" (No. 584, Rec. No. 226), which was read the first time and referred to the committee on cities.

"An act to amend the Domestic Relations Law in relation to the solemnization of marriages" (No. 950, Rec. No. 227), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 888 of the Greater New York charter in relation to the appointment of deputy tax commissioners among the boroughs" (No. 979, Rec. No. 228), which was read the first time and referred to the committee on affairs of cities.

"An act to enable the Montauk tribe of Indians in the name of their chief or head to maintain actions in the courts of this State to establish and protect their rights in and to real and personal property" (No. 259, Rec. No. 229), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 531 of the Laws of 1884, entitled 'An act in relation to the office of the register of the city and county of New York,' relative to fees for official services" (No. 1011, Rec. No. 230), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Greater New York charter, relative to pensions to members of the police force and their widows and orphans" (No. 983, Rec. No. 231), which was read the first time and referred to the committee on affairs of cities.

"An act concerning the settlement, adjustment and collection of arrears of unpaid taxes, assessments and water rates and sales for the same levied prior to January 1, 1898, in that part of the county of Queens now constituting the borough of Queens, city

of New York, and for the settlement and adjustment of certain assessments for local improvements levied prior to January 1, 1898, in that part of the said borough of Queens, formerly included within the limits of Long Island City, and to authorize the compromise and settlement with property owners interested of said unpaid taxes, assessments, water rates and sales for the same and providing for the imposition and levying of a tax, assessment and lien in lieu and instead of said unpaid taxes and assessments, water rates and assessments for local improvements and to enforce the payment thereof" (No. 699, Rec. No. 232), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to fees received by an officer of a city government" (No. 353, Rec. No. 233), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 430 of the Laws of 1903, entitled 'An act authorizing the paving of streets and portions thereof, within the city of Auburn, and providing the method and means of payment therefor'" (No. 706, Rec. No. 234), which was read the first time and referred to the committee on affairs of cities.

Mr. Prentice introduced a bill entitled "An act to further amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1370), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend the Greater New York charter in relation to the board of aldermen" (Int. No. 1371), which was read the first time and referred to the committee on affairs of cities.

Mr. Santee introduced a bill entitled "An act to amend sections 229, 233 and 234 of the General Tax Law of New York, being chapter 908 of the Laws of 1896, and the acts amendatory thereof" (Int. No. 1372), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. G. H. Whitney introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the issuing by town clerks of transcripts of judgments of justices of the peace" (Int. No. 1374), which was read the first time and referred to the committee on codes.

Mr. Gates introduced a bill entitled "An act to extend Hickory street in the city of Utica through the lands of the State Hospital at Utica, N. Y." (Int. No. 1375), which was read the first time and referred to the committee on affairs of cities.

Mr. Mead introduced a bill entitled "An act to amend chapter 435 of the Laws of 1875, entitled 'An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital,' to enlarge the power of the hospital to take, hold and mortgage property" (Int. No. 1376), which was read the first time and referred to the committee on charitable and religious societies.

Mr. O'Neill introduced a bill entitled "An act to amend chapter 570 of the Laws of 1895, entitled 'An act for the incorporation of associations for the improvement of the breed of horses, and to regulate the same, and to establish a State Racing Commission,' in relation to the annual tax on gross receipts" (Int. No. 1377), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Santee introduced a bill entitled "An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville,' relating to city elections and city officers" (Int. No. 1378), which was read the first time and referred to the committee on affairs of cities.

Mr. Agnew introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Gustave Kaiser against the State of New York" (Int. No. 1379), which was read the first time and referred to the committee on claims.

Mr. Rogers introduced a bill entitled "An act making an appropriation for the New York State Reformatory at Elmira"

(Int. No. 1380), which was read the first time and referred to the committee on ways and means.

Mr. Burnett introduced a bill entitled "An act to amend the Greater New York charter relative to the operation of ferries and the acquirement of property therefor" (Int. No. 1381), which was read the first time and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill entitled "An act to amend the Greater New York charter in relation to the powers of the board of estimate and apportionment" (Int. No. 1382), which was read the first time and referred to the committee on affairs of cities.

Mr. Everett introduced a bill entitled "An act to extend the grand boulevard and concourse established by chapter 130 of the Laws of 1895, and the approaches thereto" (Int. No. 1383), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Apgar introduced a bill entitled "An act to authorize the board of water commissioners of the village of Peekskill in the county of Westchester to issue bonds for the expense of a new force main and provide for the payment of water bonds of the village of Peekskill" (Int. No. 1384), which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on electricity, gas and water supply.

By unanimous consent,

Mr. Plank introduced a bill entitled "An act authorizing the towns of Louisville, Madrid and Waddington, in the county of St. Lawrence, to issue bonds for the payment of the cost of the construction of a bridge over De Grasse river, and of the costs of legal proceedings in respect to such bridge, and for certain other purposes" (Int. No. 1385), which was read the first time.

On motion of Mr. Plank, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on internal affairs.

Mr. Rogers, from the committee on ways and means, to which was referred the bill introduced by Mr. Agnew, Int. No. 976, entitled "An act to establish a commission to regulate the taking of sources of water supply by any civil division of the State, to be known as the State Water Supply Commission, and for an investigation by said commission of the available natural water supplies of the State and the existing systems of water supply and sewage systems of the various municipalities of the State and to report upon the same to the next Legislature, and making an appropriation therefor" (No. 1174), reported in favor of the passage of the following substitute bill:

AN ACT to establish a state water commission, to define its powers and duties, and making an appropriation therefor.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The governor, by and with the advice and consent of the Senate, shall within fifteen days after this act takes effect, appoint five citizens of the state, one of whom shall be designated as president, to constitute a commission to be known as the state water supply commission. Any three of said commissioners shall constitute a quorum for the transaction of business. The commission shall make necessary rules and regulations for the proceedings hereunder.

§ 2. No municipal corporation or other civil division of the state, and no board, commission or other body of or for any such municipal corporation or other civil division of the state shall, after this act takes effect, have any power to acquire, take or condemn lands for any new or additional sources of water supply, until it has first submitted the maps and profiles therefor to said commission, as hereinafter provided, and until said commission shall have approved the same.

§ 3. Any municipal corporation or other civil division of the state may make application by petition in writing to the said commission for the approval of its maps and profiles of such new or additional source or sources of water supply for such municipal corporation or other civil division of the state. Such application shall be accompanied by an exhibit of maps of the lands

to be acquired and profiles thereof showing the sites and areas of the proposed reservoirs and other works, the profiles of the aqueduct lines and the flow lines of the water when impounded, plans and surveys and abstract of official reports relating to the same, showing the need of such municipal corporations for a particular source or sources of supply and the reasons therefor, and shall be accompanied by a plan or scheme to determine and provide for the payment of the proper compensation for any and all damages to persons or property, whether direct or indirect, which will result from the acquiring of said lands and the execution of said plans. Said commission shall thereupon cause public notice to be given that on a day therein named the commission will meet at its office in the city of Albany, or at such other place as it may particularly specify in said notice, for the purpose of hearing all persons, municipal corporations or other civil divisions of the state that may be affected thereby. Such notice shall be published in such newspapers and for such length of time, not exceeding four weeks, as the commission shall determine. At any time prior to the day specified in such notice any person or municipal corporation or the proper authorities of any civil division of the state may file in the office of the commission at Albany objections to the project proposed by such application. Every objection so filed shall particularly specify the ground thereof. Said commission shall, upon the day specified in said notice, or upon such subsequent day of or days to which it may adjourn the hearing, proceed to examine the said maps and profiles and to hear the proofs and arguments submitted in support and in opposition to the proposed project, but no person, municipal corporation or local authorities shall be heard in opposition thereto except on objections filed as authorized by this section. The commission shall determine whether the plans proposed by such municipal corporation or other civil division of the state are justified by public necessity, and whether such plans are just and equitable to the other municipalities and civil divisions of the state affected thereby and to the inhabitants thereof, particular consideration being given to their present and future necessities for sources of water supply, and whether said plans make fair and equitable provisions for the determination and payment of any and all damages to persons and property, both direct and indirect which will result from the execution of said plans. Said commission shall within ninety days after the final hearing and with all convenient speed, either approve such ap-

plication as presented or with such modifications in the plans submitted as it may deem necessary to protect the water supply and the interest of any other municipal corporation, or other civil division of the state, or the inhabitants thereof, or to bring into cooperation all municipal corporation, or other civil divisions of the state, which may be affected thereby. Or it may reject the application entirely or permit another to be filed in lieu thereof, but it shall, however, make a reasonable effort to meet the needs of the applicant, with due regard to the actual or prospective needs and interests of all other municipal corporations and civil divisions of the state affected thereby and the inhabitants thereof. Whenever the commission shall make a decision on any application submitted to it by any municipal corporation or other civil division of the state it shall state the same in writing and sign the same and cause its official seal to be affixed thereto and file the same, together with all plans, maps, surveys and other papers or records relating thereto in its office. The decision of the commission and its action on any application may be reviewed by certiorari proceedings. The expense of any such hearing and determination by the commission shall be certified by said commission to the municipal corporation or other civil division of the state making such application and shall be paid by said municipal corporation or other civil division of the state to the state treasurer within thirty days thereafter.

§ 4. Said commission shall have power to subpoena and require the attendance in this state of witnesses and the production by them of books and papers pertinent to the investigation and inquiries authorized and to examine them and such public records as it shall require in relation thereto. And for the purposes of the examinations authorized by this act, the commission shall possess all the powers conferred by the legislative law upon a committee of the legislature or by the code of civil procedure upon a board or committee, and may invoke the power of any court of record in the state to compel the attendance and testifying of witnesses and the production by them of books and papers as aforesaid.

§ 5. The commission shall have an official seal. The term of each member of the commission shall be five years, except that the members of said commission first appointed shall hold office respectively one for one year, one for two years, one for three years, one for four years and one for five years, and as the term

of each commissioner expires or otherwise becomes vacant his successor shall be appointed in the manner hereinbefore provided for the appointment of the original commissioners. The members of the commission shall not receive a salary, but shall be paid their necessary and reasonable expenses actually incurred in the prosecution of their duties, and may also receive a just and reasonable compensation, subject to the approval of the governor, for the time actually employed by them in the work of the commission. The commission is hereby authorized and empowered to employ a secretary and such engineers, stenographers, clerks and other subordinates as the duties imposed upon them by this act may require, and to fix and pay the reasonable salaries and expenses of such officers, and of all other subordinates for the purpose of proceedings by them under this act, subject to the approval of the governor.

§ 6. In addition to the powers and duties heretofore conferred upon it, said commission shall immediately after its appointment proceed to make an investigation and report to the legislature as part of its first annual report hereinafter provided for, concerning the available sources of water supply in this state, the respective purity and quantity of each source of supply and the availability of each to be used for localities other than those immediately adjacent thereto. Said commission shall also investigate and report at said time the present water supply of each municipal corporation and other civil divisions of the state to ascertain the present and future needs of each of said municipal corporations and other civil divisions of the state, and the present and future supply therefor, and the present and future purity of each of said supplies. Said commission shall also report the present dispositions of sewerage of each municipal corporation and other civil division of the state, and, if necessary, of adjoining states, with special reference to said disposition affecting the various municipal corporations and other civil divisions of the state in relation to the water supply of this state. Said commission shall also report the advisability of, the time required for and the expenses incident to, the construction of a state system of water supply and for a state system for the disposition of sewerage, if necessary, for all or any of the municipal corporations and other civil divisions of this state, and make such recommendations connected with the subjects of said investigations herein provided for as said commission shall determine. In said investigation concerning either the water supply

or disposition of sewerage, said commission shall, so far as possible, make use of all reports and surveys in regard thereto which have heretofore been made. For the purposes of such investigations as are provided for in this section said commission shall have all the powers and authority conferred by section four hereof.

§ 7. The commission shall annually, on or before the first day of February in each year, submit a written report of its proceedings during the preceding year to the legislature.

§ 8. Nothing herein contained shall in any way affect the acquiring of lands by the aqueduct commissioners of the city of New York under the provisions of chapter four hundred and ninety of the laws of eighteen hundred and eighty-three as heretofore amended.

§ 9. The sum of forty thousand dollars or so much thereof as may be necessary is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, to be paid by the state treasurer upon the warrant of the comptroller for the purposes of this act.

§ 10. All other acts and parts of acts inconsistent with this act are hereby repealed.

§ 11. This act shall take effect immediately.

JAMES T. ROGERS,

Chairman.

Which report was agreed to and said substitute bill ordered printed and placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the resolution relative to the investigation of certain accusations against Warren B. Hooker, reported in favor of the adoption of the following resolution:

Resolved, That the judiciary committee of the Assembly, to which was referred the matter of investigating certain accusations against Warren B. Hooker, mentioned in a resolution adopted by the Assembly February 1, 1905, be and it is hereby granted further time to and including April 19, 1905, to complete such investigation and make report to the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Cowan, Int. No. 1257, entitled "An act authorizing the town of Middletown, Delaware county, to issue bonds to retire outstanding certificates of indebtedness issued for highway purposes" (No. 1612), reported in favor of the passage of the following substitute bill:

AN ACT authorizing the town of Middletown, Delaware county, to issue bonds to retire outstanding certificates of indebtedness against said town.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. A majority of the taxpayers of the town of Middletown, Delaware county, voting at a general town meeting, or at a special town meeting called by the town board for such purpose, and qualified to vote thereat, may authorize the town board to issue the bonds of the town, in an amount not exceeding twenty thousand dollars, to retire outstanding certificates of indebtedness of the town that were issued by the supervisor and town clerk pursuant to resolutions of the town board, of said town, passed on the following dates: August second, nineteen hundred and one; November seventh, nineteen hundred and one; March third, nineteen hundred and three; July fifth, nineteen hundred and three; December thirty-first, nineteen hundred and three; February fifth, nineteen hundred and four; March eighth, nineteen hundred and four; July fifth, nineteen hundred and four; August fifth, nineteen hundred and four; September second, nineteen hundred and four, and November eleventh, nineteen hundred and four, and authorizing the supervisor and town clerk to borrow money to be used for town purposes and to issue certificates for said loans against the town of Middletown and to reissue certificates outstanding, against said town, when due.

§ 2. The bonds issued pursuant to this act must conform with the requirements of section seven of the general municipal law, and be issued in accordance with the provisions of such section; and such certificates outstanding against the town of Middletown issued pursuant to the resolutions of the town board, shall be regarded as original bonds within the meaning of such section.

§ 3. Bonds issued pursuant to this act shall be valid and binding obligations of the town of Middletown, notwithstanding any

defects, invalidity or irregularity in the certificates they are to retire, or in the proceedings or authority by which such certificates were issued.

§ 4. This act shall take effect immediately.

S. PERCY HOOKER,

Chairman.

Which report was agreed to and said substitute bill ordered printed and placed on the order of second reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

“An act to amend the Code of Civil Procedure, relative to precepts in dispossess proceedings.” (No. 1766, Int. No. 862.)

“An act to amend chapter 360 of the Laws of 1897, entitled ‘An act to incorporate the city of Geneva,’ in relation to the location of tracks of street surface railroads.” (No. 1768, Int. No. 966.)

“An act amending section 165 of the Town Law relating to fees of officers in criminal proceedings.” (No. 1767, Rec. No. 114.)

“An act to amend chapter 430 of the Laws of 1903, entitled ‘An act authorizing the paving of streets and portions thereof, within the city of Auburn, and providing the method and means of payment therefor.’” (No. 1739, Int. No. 1026.)

“An act to amend chapter 182 of the Laws of 1898, entitled ‘An act for the government of cities of the second class,’ in relation to health districts.” (No. 1754, Int. No. 1148.)

“An act to amend chapter 14 of the Laws of 1880, entitled ‘An act to further amend chapter 143 of the Laws of 1861, entitled “An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,” and to consolidate therewith the several acts in relation to the charter of said city,’ in relation to local improvements.” (No. 1753, Int. No. 1147.)

“An act to amend the Penal Code, relative to advertising and selling counterfeit money.” (No. 1756, Int. No. 1159.)

“An act to amend chapter 580 of the Laws of 1902, entitled ‘An act in relation to the municipal court of the city of New York, its officers and marshals,’ relative to service of precept in dispossess proceedings.” (No. 1763, Int. No. 863.)

“An act to amend chapter 386 of the Laws of 1888, entitled ‘An act to authorize the city of Yonkers to issue bonds for the purpose of raising money to construct bridges over watercourses in said city,’ relative to the amount for which bonds are to be issued.” (No. 1752, Int. No. 1201.)

“An act to amend the Code of Criminal Procedure, relating to the powers and duties of probation officers.” (No. 1751, Int. No. 676.)

“An act to amend chapter 202 of the Laws of 1897, entitled ‘An act authorizing the board of supervisors of the county of Oneida to designate a board of equalization in and for said county, and defining its powers and duties,’ in relation to the appointment of a board of equalization for the county of Oneida and defining its powers, duties.” (No. 1750, Int. No. 1050.)

“An act to regulate the awarding of and the assignment and subletting of contracts for public work.” (No. 1765, Int. No. 884.)

“An act to amend chapter 531 of the Laws of 1884, entitled ‘An act in relation to the office of register of the city and county of New York,’ relative to for filing papers.” (No. 1758, Int. No. 972.)

“An act to amend the Village Law, in relation to the powers of the board of trustees as fence viewers.” (No. 1755, Int. No. 577.)

“An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues approaching the bridge over the Gowanus canal at Hamilton avenue, borough of Brooklyn, in the city of New York.” (No. 1770, Int. No. 425.)

“An act to amend the Insanity Law, relating to the management of State hospitals, abolishing the boards of visitation and

creating boards of managers therefor, and defining the powers and duties of the boards of managers and of the State Commission in Lunacy." (No. 1759, Int. No. 496.)

"An act to amend the Greater New York charter, in relation to the appointment of deputy tax commissioners among the boroughs." (No. 1757, Int. No. 1183.)

"An act to amend the Code of Civil Procedure, relating to actions for partition." (No. 1740, Int. No. 943.)

"An act to amend the Penal Code, relative to life saving crews on ferry boats and excursion boats." (No. 1769, Int. No. 562.)

"An act to amend the Election Law, by providing for a special registration of electors absent from the State." (No. 529, Int. No. 488.)

"An act to amend the Municipal Court Act of the city of New York, relative to the jurisdiction of such court." (No. 713, Int. No. 633.)

"An act to provide for the payment of the claim of James R. F. Kelly and William D. Kelley, against the city of New York, for work and labor done and services rendered and materials furnished for a sewer on East Two Hundred and Fourth street, in said city." (No. 968, Int. No. 826.)

"An act to amend the Forest, Fish and Game Law, in relation to herring nets in Hudson and Delaware rivers and adjacent waters." (No. 1702, Int. No. 1295.)

"An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' relative to the appointment of an additional assistant clerk." (No. 1451, Int. No. 1165.)

"An act to amend the Code of Civil Procedure, relative to the execution of warrants for the dispossession of tenants." (No. 1764, Int. No. 579.)

"An act to amend the Agricultural Law, in relation to the collection and dissemination of agricultural statistics." (No. 1548, Int. No. 1210.)

“An act to amend the Railroad Law in relation to protection against injury to persons and property by electric third rails.” (No. 757, Int. No. 669.)

“An act to amend the Forest, Fish and Game Law, relative to woodcock, grouse or quail in Orange county.” (No. 1490, Int. No. 1181.)

“An act to amend the Forest, Fish and Game Law, relative to selling woodcock, grouse and quail in Orange county.” (No. 1338, Int. No. 1087.)

“An act in relation to Greene avenue and Madison street in the borough of Brooklyn, city of New York.” (No. 21, Int. No. 21.)

“An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants.” (No. 1381, Int. No. 1124.)

The bill (No. 1175) entitled “An act to amend the Labor Law relative to the issuance of employment certificates for employees in factories and mercantile establishments” (Int. No. 977), having been announced for a second reading,

Mr. Agnew moved to amend as follows:

Page 3, line 18, after the word “years” insert the words “or of a school in the state of New York other than a public school, having a substantially equivalent course of study and in which the record of attendance of such child has been kept as required by the compulsory education law.”

Page 6, line 13, after the word “years” insert the words “or of a school in the state of New York other than a public school, having a substantially equivalent course of study and in which the record of attendance of such child has been kept as required by the compulsory education law.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. Agnew, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 1176) entitled "An act to amend the Labor Law relative to the evidence of age of minor employees in factories, mercantile and other establishments" (Int. No. 978), was read the second time.

On motion of Mr. Agnew, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1325) entitled "An act to amend the Forest, Fish and Game Law, relative to the use of nets in Coney Island creek" (Int. No. 1079), was read the second time.

On motion of Mr. Reeve, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1324) entitled "An act to amend the Forest, Fish and Game Law, relative to the powers of game protectors" (Int. No. 1078), was read the second time.

On motion of Mr. Reeve, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1321) entitled "An act to amend the Forest, Fish and Game Law, relative to penalties" (Int. No. 1075), was read the second time.

On motion of Mr. Reeve, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1322) entitled "An act to amend the Forest, Fish and Game Law, relative to Jamaica bay and adjacent waters" (Int. No. 1076), was read the second time.

On motion of Mr. Reeve, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1314) entitled "An act to repeal section 115 of the Lien Law, relating to the exemption of certain articles from the provisions of the Lien Law requiring the filing of contracts of conditional sale" (Int. No. 1068), was read the second time.

On motion of Mr. La Rue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 845) entitled "An act to prohibit the docking of horses tails, and to require a registry of all docked horses, now in this State" (Int. No. 747), was read the second time.

On motion of Mr. Sheldon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1712) entitled "An act to prevent the emasculation of the National anthem, the Star Spangled Banner, in the text-books in use in the public schools of the State of New York" (Int. No. 1305), was read the second time.

On motion of Mr. Tompkins, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1293) entitled "An act to amend the Compulsory Education Law regarding the powers and duties of truant officers" (Int. No. 1047), was read the second time.

On motion of Mr. Agnew, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1310) entitled "An act to amend section 6 of title 6 of the Consolidated School Law, relative to the alteration of school districts having a bonded indebtedness" (Int. No. 1064), was read the second time.

On motion of Mr. Wade, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 824) entitled "An act to amend the Penal Code, in relation to the unlawful taking, copying or use of trade lists, lists of customers, subscribers, etc." (Int. No. 725), was read the second time.

On motion of Mr. Agnew, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1444) entitled "An act to amend the Penal Code in relation to defenses to prosecutions for larceny" (Int. No. 1158), was read the second time.

On motion of Mr. Tompkins, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1495) entitled "An act to amend the Penal Code, in relation to stamping or marking articles manufactured of gold or of any alloy of gold" (Int. No. 1186), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1747) entitled "An act relating to the acquisition of property by the city of New York for a water supply, and providing for prompt payment therefor, and for damages occasioned by the acquisition thereof; providing for use and care of reservoirs owned by said city; and providing for the construction and maintenance of highways and bridges" (Int. No. 1318), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1614) entitled "An act to provide for the acquisition of certain real estate, and to lay out a playground in the borough of Brooklyn" (Int. No. 1259), was read the second time.

On motion of Mr. O'Neill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1565) entitled "An act to incorporate the Staten Island Association of Arts and Sciences and to provide for the care and housing of its museum and library by the city of New York" (Int. No. 1251), was read the second time.

On motion of Mr. Wedemeyer, said bill was placed on the order of third reading.

On motion of Mr. Wedemeyer, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hurd	Plank	Steele
Allen F E	Dale	Kavanaugh	Platt	Sullivan
Allen J G	Dodd	La Fetra	Pratt	Tenjost
Apgar	Dowling	La Rue	Reeve	Thompson G F

Bass	Ellis	Lewis	Reilly	Thompson J A
Becker	Evans	Machacek	Rigby	Thonet
Bedell	Everett	Maier	Rogers	Tompkins
Beebe	Fitzsimons	Mathews T F	Rosenstein	Waddell
Bird	Foelker	Matthews C R	Salomon	Wagner
Bisland	Francisco	McKeown	Sammon	Wadsworth
Brady	Fuller	McManus	Santee	Wainwright
Brooks	Gardner	Mead	Scovill	Wedemeyer
Burnett	Grady	Merritt	Shanahan	West
Burns	Grattan	Monroe	Sheehy	Wemple
Burzynski	Gray	Moreland	Sheldon	Whitney F G
Cadin	Gurnett	Murphy	Shuttleworth	Whitney G H
Cahn	Hammond	Newton	Slocum	Wiegand
Callahan	Hanford	Ogden	Smith A P	Wilsnack
Caughlan	Hapeman	O'Neill	Smith A E	Wilson
Charles E E	Hartman	Palmer	Smith J E	Wolf
Charles W B	Hastings	Parker	Smith J T	Wood F C
Cooke	Hooker	Pendry	Smith R H	Wood F X
Coon	Hornidge	Perry	Standart	Yale
Coutant	Hubbs	Phillips	Stanley	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1564) entitled "An act to authorize the expenditure by the city of New York of money for the proper celebration of Memorial day in the year 1905" (Int. No. 1230), was read the second time.

On motion of Mr. La Fetra, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1563) entitled "An act to amend the Greater New York charter so as to confer power upon the board of estimate and apportionment to appropriate money for the proper observance of Memorial day in the city of New York" (Int. No. 1229), was read the second time.

On motion of Mr. La Fetra, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1546) entitled "An act authorizing and directing the city of Troy to pay certain awards made against it for water-works purposes and to issue its bonds for the purpose of raising money with which to make such payment" (Int. No. 1208), was read the second time.

On motion of Mr. Donovan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1598) entitled "An act to amend the State

Finance Law, in relation to the education fund " (Int. No. 1243), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1604) entitled "An act transferring the unexpended balance in the fund for the enlargement of the Erie, the Oswego and the Cayuga and Seneca canals and for the completion of the Black River and Genesee Valley canals and for the enlargement of locks of the Champlain canal, to the canal debt sinking fund " (Int. No. 1249), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1670) entitled "An act to amend section 53 of chapter 565 of the Laws of 1895, as amended by chapter 199, Laws of 1898, and by chapter 289, Laws of 1899, and by chapter 271, Laws of 1902, and by chapter 595, Laws of 1904, relative to the annual tax levy in the city of Little Falls " (Int. No. 1290), was read the second time.

On motion of Mr. Steele, said bill was placed on the order of third reading.

On motion of Mr. Steele, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hubbs	Phillips	Standart
Allen F E	Cowan	Hurd	Plank	Steele
Allen J G	Cunningham	Knapp	Platt	Stevens
Anderson	Dale	La Rue	Pratt	Sullivan
Apgar	Donovan	Leggett	Prentice	Tenjust
Bass	Dowling	Lewis	Prince	Thompson G F
Becker	Ellis	Machacek	Quinn	Thonet

Bedell	Evans	Maier	Reeve	Tompkins
Beihlf	Fish	Mathews T F	Rigby	Waddell
Bird	Fitzsimons	Matthews C R	Rogers	Wade
Bisland	Foster	McKeown	Rosenstein	Wagner
Brady	Francisco	McManus	Salomon	Wadsworth
Brooks	Freidel	Mead	Sammon	Wainwright
Burnett	Gardner	Merritt	Santee	Wedemeyer
Burns	Gates	Miller	Scovill	West
Byrne	Grattan	Monroe	Shanahan	Wemple
Cadin	Gray	Murphy	Sheehy	Whitney F G
Cahn	Gurnett	Newton	Sheldon	Whitney G H
Callahan	Hackett	Nugent	Shuttleworth	Wiegand
Carrier	Hammond	O'Neill	Slocum	Wilson
Caughlan	Hapeman	Palmer	Smith A P	Wolf
Charles E E	Hartman	Parker	Smith A E	Wood F C
Charles W B	Hooker	Patton	Smith J E	Yale
Coon	Hooper	Pendry	Smith J T	Young
Cotton				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1558) entitled "An act to amend the County Law, relating to the salary of the county judge and surrogate of Broome county" (Int. No. 1220), was read the second time.

On motion of Mr. F. E. Allen, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1704) entitled "An act to provide for the compensation of the transcribers or copyists of old or mutilated records in the office of the clerk of the county of Kings" (Int. No. 1297), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 193) entitled "An act to provide for the acquisition of certain real estate and wharf property in the borough of Brooklyn for playground and recreative purposes" (Int. No. 193), was read the second time.

On motion of Mr. Reilly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1361) entitled "An act to provide for a boulevard or parkway in the borough of Brooklyn, county of Kings, city of New York" (Int. No. 1102), was read the second time.

On motion of Mr. Grady, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1360) entitled "An act authorizing the police commissioner of the city of New York to allow a pension to the widow of James McGowan, a former patrolman of the police department of the city of New York" (Int. No. 1101), was read the second time.

On motion of Mr. Grady, said bill was placed on the order of third reading.

On motion of Mr. Grady, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Dodd	La Rue	Prentice	Stevens
Allen F E	Dowling	Lewis	Prince	Sullivan
Allen J G	Ellis	Leggett	Reeve	Tenjost
Anderson	Etzel	Maier	Reilly	Thompson G F
Apgar	Evans	Malloy	Rigby	Thompson J A
Bass	Everett	Matthews C R	Rogers	Thonet
Becker	Fitzsimons	McKeown	Rosenstein	Tompkins
Beebe	Foelker	McManus	Salomon	Waddell
Beihilf	Francisco	Mead	Sammon	Wade
Bisland	Freidel	Miller	Santee	Wagner
Brady	Fuller	Monroe	Schoeneck	Wadsworth
Burnett	Gates	Moreland	Scovill	Wainwright
Burns	Grady	Newton	Shanahan	West
Byrne	Gray	Nugent	Sheldon	Wemple
Cahn	Gurnett	Ogden	Sherry	Whitney F G
Callahan	Hackett	Palmer	Shuttleworth	Whitney G H
Caughlan	Hanford	Parker	Slocum	Wiegand
Charles E E	Hapeman	Patton	Smith A P	Wilsnack
Charles W B	Hastings	Pendry	Smith A E	Wilson
Cooke	Hooker	Perry	Smith J T	Wolf
Cotton	Hornidge	Phillips	Smith R H	Wood F C
Coutant	Hubbs	Plank	Standart	Wood F X
Cowan	Kavanaugh	Platt	Stanley	Yale
Cox	La Fetra	Pratt	Steele	Young
Dale				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1237) entitled "An act to amend the Greater New York charter relative to the police department of the city of New York" (Int. No. 1042), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 977) entitled "An act to create a new boundary line between the Sixth and Twelfth wards of the city of Troy" (Int. No. 835), was read the second time.

On motion of Mr. Stevens, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 769) entitled "An act to authorize a further appropriation for the maintenance of the American Museum of Natural History in the Central park of the city of New York" (Int. No. 681), was read the second time.

On motion of Mr. Stanley, said bill was placed on the order of third reading.

On motion of Mr. Stanley, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hornidge	Perry	Smith R H
Allen F E	Dodd	Hubbs	Phillips	Stanley
Allen J G	Donovan	Hurd	Plank	Steele
Anderson	Ellis	Knapp	Platt	Stevens
Apgar	Etzel	La Petra	Pratt	Sullivan
Bass	Evans	La Rue	Prentice	Thompson G F
Bedell	Everett	Lewis	Quinn	Thompson J A
Beebe	Fitzsimons	Machacek	Reeve	Thonet
Beihlf	Foelker	Maier	Reilly	Tompkins
Bird	Foster	Malloy	Rigby	Waddell
Brady	Francisco	Mathews T F	Rogers	Wade

Brooks	Freidel	McKeown	Salomon	Wadsworth
Burns	Gardner	McManus	Sammon	Wainwright
Burzynski	Gates	Mead	Schoeneck	Wedemeyer
Cadin	Grady	Miller	Scovill	West
Cahn	Grattan	Monroe	Shanahan	Wemple
Callahan	Gray	Moreland	Sheehy	Whitney G H
Carrier	Gurnett	Murphy	Sherry	Wiegand
Caughlan	Hackett	Newton	Shuttleworth	Wilsnack
Charles W B	Hanford	Ogden	Slocum	Wolf
Cooke	Hapeman	O'Neill	Smith A P	Wood F C
Coon	Hartman	Palmer	Smith A E	Wood F X
Cotton	Hastings	Patton	Smith J E	Yale
Coutant	Hooker	Pendry	Smith J T	Young
Cox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1708) entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown'" (Int. No. 1301), was read the second time.

On motion of Mr. La Rue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1707) entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown,' as amended by chapter 399 of the Laws of 1903, in relation to the amount of money to be raised for the use of the board of education" (Int. No. 1300), was read the second time.

On motion of Mr. La Rue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1663) entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' relative to additional bonds for street pavements and the erection of a fire house, and the issue of bonds therefor" (Int. No. 1283), was read the second time.

On motion of Mr. Gardner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1660) entitled "An act to amend the Tenement House Act in relation to fire escapes" (Int. No. 1280), was read the second time.

On motion of Mr. Beihilf, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1608) entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' as amended, relative to assessments" (Int. No. 1253), was read the second time.

On motion of Mr. Moreland, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1559) entitled "An act to authorize the city of Binghamton to expend a sum of money, not exceeding \$10,000, in the purchase and improvement of lands at the junction of the Chenango and Susquehanna rivers in said city, for a public park, and to issue bonds therefor" (Int. No. 1221), was read the second time.

On motion of Mr. F. E. Allen, said bill was placed on the order of third reading.

On motion of Mr. F. E. Allen, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Kavanaugh	Perry	Standart
Allen F E	Cunningham	Knapp	Phillips	Stanley
Allen J G	Dale	La Fetra	Platt	Stevens
Apgar	Dodd	Leggett	Pratt	Sullivan
Bass	Dowling	Lewis	Prentice	Tenjust
Becker	Ellis	Machacek	Prince	Thompson G F
Bedell	Evans	Malloy	Reeve	Thompson J A
Beebe	Everett	Mathews T F	Reilly	Thonet
Beihlf	Fish	Matthews C R	Rogers	Tompkins
Bisland	Fitzsimons	McKeown	Rosenstein	Waddell
Brady	Foelker	McManus	Salomon	Wade
Brooks	Foster	Mead	Santee	Wagner
Burnett	Francisco	Miller	Schoeneck	Wainwright
Burzynski	Fuller	Monroe	Scovill	Wedemeyer
Byrne	Gardner	Moreland	Shanahan	West
Cadin	Gates	Murphy	Sheehy	Wemple
Callahan	Grattan	Newton	Sheldon	Whitney F G
Carrier	Gray	Nugent	Sherry	Whitney G H

Caughlan	Gurnett	Ogden	Slocum	Wilsnack
Charles E E	Hammond	O'Neill	Smith A P	Wilson
Charles W B	Hanford	Palmer	Smith A E	Wood F C
Cooke	Hartman	Parker	Smith J E	Wood F X
Coon	Hastings	Patton	Smith J T	Yale
Coutant	Hooper	Pendry	Smith R H	Young
Cowan	Hubbs			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1446) entitled "An act to authorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor" (Int. No. 1160), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 978) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots and erecting, completing and enlarging school buildings" (Int. No. 836), was read the second time.

On motion of Mr. Tenjost, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 882) entitled "An act to amend the Greater New York charter so as to authorize the issue of corporate stock in order to provide for deficiencies arising from uncollectable taxes" (Int. No. 767), was read the second time.

On motion of Mr. Tompkins, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 743) entitled "An act to amend the Municipal Law, relative to debts, bonds and taxes for pavement purposes" (Int. No. 662), was read the second time.

On motion of Mr. Dowling, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 905) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the compensation of the commissioner of public works of such city" (Rec. No. 207), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The Senate bill (No. 639) entitled "An act to create and establish a department of forestry for the planting, transplanting and removal of trees and for caring of same in the city of Buffalo" (Rec. No. 157), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The Senate bill (No. 650) entitled "An act to amend chapter 723 of the Laws of 1895, entitled 'An act in relation to religious corporations, constituting chapter 42 of the general laws,' relative to obtaining title to property of an extinct church, parish or religious society" (Rec. No. 142), was read the second time.

On motion of Mr. Reeve, said bill was placed on the order of third reading.

The bill (No. 1134) entitled "An act to amend chapter 106 of the Laws of 1891, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville and to repeal certain acts,' relating to the appointment of inspectors of election" (Int. No. 949), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooker	Pendry	Standart
Allen F E	Dale	Hooper	Perry	Stanley
Allen J G	Donovan	Hornidge	Phillips	Steele
Apgar	Dowling	Hubbs	Platt	Stevens
Bass	Ellis	Hurd	Pratt	Tenjest
Becker	Etzel	Knapp	Prentice	Thompson G F
Bedell	Evans	La Fetra	Prince	Thompson J A
Beebe	Everett	La Rue	Quinn	Thonet
Beihlf	Fish	Lewis	Reeve	Waddell
Bird	Fitzsimons	Machacek	Rigby	Wade
Bisland	Foelker	Maier	Rogers	Wagner
Brady	Foster	Mathews T ₄ F	Rosenstein	Wadsworth

Brooks	Francisco	Matthews C R	Salomon	Wainwright
Burns	Freidel	McKeown	Sammon	Wedemeyer
Burzynski	Fuller	McManus	Santee	West
Byrne	Gardner	Mead	Scovill	Whitney F G
Cahn	Gates	Miller	Schoeneck	Whitney G H
Callahan	Grattan	Monroe	Sheehy	Wiegand
Carrier	Gray	Moreland	Sheldon	Wilsnack
Charles E E	Gurnett	Murphy	Sherry	Wilson
Charles W B	Hackett	Newton	Slocum	Wolf
Coon	Hammond	Nugent	Smith A P	Wood F X
Cotton	Hanford	Ogden	Smith A E	Yale
Coutant	Hartman	Palmer	Smith J E	Young
Cowan	Hastings	Parker	Smith J T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1682) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Michael O'Keeffe against the State of New York for damages alleged to have been sustained while in the employ of the State" (Int. No. 869), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 3

Those who voted in the affirmative were:

Agnew	Cunningham	Hastings	O'Neill	Smith J T
Allen F E	Dale	Hooker	Parker	Smith R H
Allen J G	Dodd	Hooper	Pendry	Stanley
Anderson	Donovan	Hornidge	Perry	Steele
Apgar	Dowling	Hubbs	Prentice	Stevens
Bass	Ellis	Hurd	Prince	Sullivan
Becker	Etzel	Kavanaugh	Quinn	Tenjest
Bedell	Evans	Knapp	Reeve	Thompson J A
Beebe	Everett	La Fetra	Reilly	Thonet
Beihlf	Fitzsimons	Leggett	Rigby	Tompkins
Bisland	Foelker	Lewis	Rosenstein	Waddell
Brady	Foster	Machacek	Salomon	Wade
Brooks	Francisco	Maier	Sammon	Wagner
Burnett	Freidel	Malloy	Schoeneck	Wadsworth
Burzynski	Foster	Mathews T F	Shanahan	Wainwright
Byrne	Gardner	Matthews C R		Wedemeyer
Cadin	Gates	McKeown		West
Callahan	Grady	McManus		Wemple
Carrier	Grattan	Mead		Whitney F G

Caughlan	Gray	Merritt	Sheehy	Whitney G H
Charles W B	Gurnett	Miller	Sheldon	Wiegand
Cooke	Hackett	Moreland	Sherry	Wilsnack
Coon	Hammond	Murphy	Shuttleworth	Wilson
Cotton	Hanford	Newton	Slocum	Wolf
Coutant	Hapeman	Nugent	Smith A P	Yale
Cowan	Hartman	Ogden	Smith J E	Young
Cox				

Those who voted in the negative were:

Palmer	Phillips	Rogers
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1282) entitled "An act to amend chapter 310 of the Laws of 1879, entitled 'An act to prevent the sale of lands used for cemetery purposes,' in relation to crematories" (Int. No. 1044), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 99

NOES 3

Those who voted in the affirmative were:

Agnew	Cox	Hurd	Perry	Smith A E
Allen J G	Dodd	Knapp	Plank	Smith J E
Apgar	Dowling	La Rue	Platt	Smith J T
Bass	Ellis	Leggett	Prince	Standart
Beebe	Etsel	Lewis	Quinn	Stanley
Beihliff	Fitzsimons	Machacek	Reilly	Stevens
Bird	Foster	Maier	Rigby	Thompson J A
Brady	Francisco	Malloy	Rogers	Thonet
Brooks	Freidel	Mathews T F	Rosenstein	Waddell
Burnett	Fuller	McManus	Solomon	Wagner
Burns	Gates	Mead	Sammon	West
Cadin	Grady	Monroe	Santee	Wemple
Cahn	Grattan	Murphy	Schoeneck	Whitney F G
Callahan	Gray	Newton	Scovill	Whitney G H
Carrier	Hackett	Nugent	Shanahan	Wiegand
Charles W B	Hammond	O'Neill	Sheehy	Wilsnack
Cooke	Hanford	Palmer	Sherry	Wilson
Coon	Hartman	Parker	Shuttleworth	Wolf
Cotton	Hooper	Patton	Slocum	Young
Cowan	Hornidge	Pendry	Smith A P	

Those who voted in the negative were:

Hapeman	Hooker	Matthews C R
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1570) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Auburn against the State, for a local improvement consisting of laying (and paying for the construction of) a sidewalk in front of lands in said city upon which is locate the State prison, and to render judgment therefor" (Int. No. 503), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 2

Those who voted in the affirmative were:

Agnew	Cox	Hurd	Plank	Standart
Allen F E	Cunningham	Kavanaugh	Platt	Steele
Allen J G	Dale	La Fetra	Pratt	Stevens
Apgar	Dodd	La Rue	Prentice	Sullivan
Bass	Dowling	Leggett	Prince	Tenjost
Becker	Ellis	Lewis	Quinn	Thompson G F
Bedell	Evans	Machacek	Reilly	Thompson J A
Beebe	Everett	Maier	Rigby	Thonet
Beihilf	Fish	Mathews T F	Rogers	Tompkins
Bird	Fitzsimons	Mathews C R	Rosenstein	Waddell
Bisland	Foelker	McKeown	Salomon	Wade
Brady	Foster	McManus	Sammon	Wagner
Burnett	Francisco	Mead	Santee	Wadsworth
Burns	Fuller	Miller	Schoeneck	Wainwright
Burzynski	Gardner	Monroe	Scovill	Wedemeyer
Byrne	Gates	Moreland	Shanahan	West
Cadin	Grattan	Murphy	Sheehy	Wemple
Callahan	Gray	Newton	Sheldon	Whitney F G
Carrier	Hackett	Nugent	Sherry	Whitney G H
Caughlan	Hammond	Ogden	Shuttleworth	Wiegand
Charles E E	Hapeman	O'Neill	Slocum	Wilson
Charles W B	Hartman	Parker	Smith A P	Wolf
Cooke	Hastings	Patton	Smith A E	Wood F C
Coon	Hooker	Pendry	Smith J E	Wood F X
Cotton	Hornidge	Perry	Smith J T	Yale
Cowan	Hubbs	Phillips	Smith R H	Young

Those who voted in the negative were:

Cahn Palmer

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1622) entitled "An act to locate and designate a site for a public library in the borough of Brooklyn upon lands owned by the city of New York" (Int. No. 935), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1568) entitled "An act to confer on the Court of Claims jurisdiction to hear, audit and determine the claims of the personal representatives of William J. Smith for damages resulting from the death of said William J. Smith by the negligence of the State of New York through its servants and employees" (Int. No. 224), having been announced for a third reading,

On motion of Mr. Brooks, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 999) entitled "An act to amend the General City Law relative to certain municipal contracts in cities of the second and third class" (Int. No. 858), having been announced for a third reading,

On motion of Mr. Shoeneck, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1633) entitled "An act to amend the State Charities Law, authorizing the transfer of inmates of State charitable institutions" (Int. No. 586), having been announced for a third reading,

Mr. Fish moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Page 2, line 10, before the word "May" insert the words "with the written approval of the governor."

Same page, at end of line 23, insert the words "When any inmate is so transferred there shall be furnished certified copies of the commitment papers and of the record of such inmate. The board of managers of the institution to which such inmate is transferred shall have all the powers and duties in relation to such inmate, which it possesses in relation to other inmates of such institution."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1596) entitled "An act to amend the Military Code, relative to pay and allowances" (Int. No. 1241), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Agnew	Dodd	Knapp	Plank	Stanley
Allen F E	Dowling	La Rue	Platt	Steele
Allen J G	Ellis	Leggett	Pratt	Stevens
Apgar	Etsel	Lewis	Prentice	Sullivan
Bass	Evans	Maier	Prince	Tenjest
Becker	Everett	Malloy	Quinn	Thompson G F
Bedell	Fish	Mathews T F	Reilly	Thompson J A
Beihilf	Foelker	Matthews C R	Rigby	Thonet
Bird	Francisco	McKeown	Rosenstein	Tompkins
Bisland	Freidel	McManus	Salomon	Waddell
Brady	Gardner	Mead	Sammon	Wade
Brooks	Gates	Merritt	Santee	Wagner
Burnett	Grady	Miller	Schoeneck	Wadsworth
Burns	Grattan	Monroe	Scovill	Wainwright
Burzynski	Gray	Moreland	Shanahan	Wedemeyer
Cadin	Gurnett	Murphy	Sheehy	West
Cahn	Hammond	Newton	Sheldon	Whitney F G
Carrier	Hanford	Nugent	Sherry	Whitney G H
Caughlan	Hapeman	Ogden	Shuttleworth	Wiegand
Charles E E	Hartman	O'Neill	Slocum	Wilsnack

Charles W B	Hastings	Palmer	Smith A P	Wilson
Coon	Hooper	Parker	Smith A E	Wolf
Cotton	Hornidge	Patton	Smith J E	Wood F C
Coutant	Hubbs	Pendry	Smith J T	Wood F X
Cowan	Hurd	Perry	Smith R H	Yale
Cox	Kavanaugh	Phillips	Standart	Young
Dale				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1346) entitled "An act to amend chapter 518 of the Laws of 1889, entitled 'An act to revise the charter of the village of Mount Morris,' in relation to the powers of the board of trustees thereof" (Int. No. 1095), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Perry	Smith R H
Allen F E	Cox	Hubbs	Phillips	Standart
Allen J G	Cunningham	Hurd	Plank	Stanley
Anderson	Dale	Kavanaugh	Platt	Stevens
Apgar	Dodd	La Fetra	Pratt	Sullivan
Bass	Donovan	La Rue	Prince	Tenjost
Becker	Dowling	Leggett	Quinn	Thompson G F
Bedell	Ellis	Lewis	Reeve	Thompson J A
Beebe	Evans	Machacek	Reilly	Tompkins
Beihilf	Everett	Malloy	Rigby	Waddell
Bird	Fish	Mathews T F	Rogers	Wade
Bisland	Fitzsimons	Matthews C R	Rosenstein	Wagner
Brooks	Foelker	McKeown	Salomon	Wadsworth
Burnett	Foster	McManus	Sammon	Wainwright
Burns	Francisco	Mead	Santee	Wedemeyer
Burzynski	Freidel	Miller	Schoeneck	West
Byrne	Fuller	Monroe	Scovill	Wemple
Cahn	Gates	Moreland	Shanahan	Whitney F G
Callahan	Grady	Murphy	Sheldon	Whitney G H
Carrier	Grattan	Newton	Sherry	Wiegand
Caughlan	Gray	Ogden	Shuttleworth	Wilsnack
Charles E E	Hackett	O'Neill	Slocum	Wilson
Charles W B	Hammond	Palmer	Smith A P	Wolf
Cooke	Hanford	Parker	Smith A E	Wood F C
Coon	Hartmar	Patton	Smith J E	Wood F X
Cotton	Hastings	Pendry	Smith J T	Yale
Coutant	Hooker			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1365) entitled "An act to amend chapter 269 of the Laws of 1902, entitled 'An act to incorporate the city of Plattsburgh'" (Int. No. 1106), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	La Fetra	Platt	Standart
Allen F E	Dale	La Rue	Pratt	Steele
Allen J G	Dodd	Lewis	Prentice	Stevens
Apgar	Donovan	Machacek	Prince	Sullivan
Bass	Ellis	Maier	Quinn	Tenjost
Becker	Etzel	Malloy	Reeve	Thompson G F
Bedell	Evans	Mathews T F	Reilly	Thompson J A
Beebe	Fish	Matthews C R	Rigby	Thonet
Bird	Fitzsimons	McKeown	Rogers	Tompkins
Bisland	Foelker	McManus	Rosenstein	Waddell
Brady	Francisco	Mead	Salomon	Wade
Brooks	Fuller	Merritt	Sammon	Wagner
Burnett	Gardner	Miller	Santee	Wainwright
Burns	Gates	Monroe	Schoeneck	Wedemeyer
Byrne	Grattan	Moreland	Scovill	West
Cadin	Gray	Newton	Shanahan	Wemple
Cahn	Hackett	Nugent	Sheehy	Whitney F G
Callahan	Hammond	Ogden	Sheldon	Whitney G H
Caughlan	Hanford	O'Neill	Sherry	Wiegand
Charles E E	Hartman	Palmer	Shuttleworth	Wilsnack
Charles W B	Hooker	Parker	Slocum	Wilson
Cooke	Hooper	Patton	Smith A P	Wolf
Coon	Hornidge	Pendry	Smith A E	Wood F C
Cotton	Hurd	Perry	Smith J E	Wood F X
Coutant	Kavanaugh	Phillips	Smith J T	Yale
Cox	Knapp	Plank	Smith R H	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1475) entitled "An act to provide for the licensing of engineers and firemen operating a steam stationary engine or engines steam stationary, boiler or boilers in the State of New York, excepting cities of the first class" (Int. No. 706), having been announced for a third reading,

Mr. Gates moved that said bill be recommitted to the committee on general laws, with instructions to report the same forthwith amended as follows:

Amend the title by inserting after the words "New York" the words "in cities."

Page 1, line 2, after the word "state" insert the words "in cities."

Page 2, line 18, strike out the words "or town."

Page 3, line 6, strike out the words "or town."

On motion of Mr. Wemple, and by unanimous consent, said bill, with pending amendments, was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1741) entitled "An act to amend the Religious Corporations Law, relative to obtaining title to property of an extinct church, parish or religious society" (Int. No. 910), having been announced for a third reading,

On motion of Mr. Wedemeyer, said bill was laid aside, and ordered stricken from the calendar.

Mr. Wadsworth moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Agnew	Cox	Hooper	Parker	Smith J T
Allen F E	Dodd	Hornidge	Patton	Smith R H
Allen J G	Dowling	Hurd	Pendry	Standart
Apgar	Ellis	Knapp	Perry	Stanley
Bass	Etzel	La Rue	Phillips	Stevens
Bedell	Evans	Leggett	Plank	Sullivan
Beihlf	Fish	Lewis	Pratt	Tenjost
Bird	Fitzsimons	Machacek	Prince	Thompson J A
Bisland	Foster	Maier	Quinn	Thonet
Brady	Francisco	Malloy	Reilly	Wade
Brooks	Freidel	Mathews T F	Rigby	Wagner
Burnett	Fuller	Matthews C R	Rogers	Wadsworth
Burzynski	Gardner	McManus	Rosenstein	Wedemeyer
Byrne	Gates	Mead	Sammon	West
Cadin	Grady	Merritt	Santee	Wemple
Cahn	Grattan	Monroe	Schoeck	Whitney F G
Callahan	Gray	Moreland	Scovill	Whitney G H
Carrier	Gurnett	Murphy	Shanahan	Wiegand
Caughlan	Hackett	Newton	Shuttleworth	Wilsnack
Charles E E	Hammond	Nugent	Slocum	Wolf
Cooke	Hapeman	Ogden	Smith A P	Wood F C
Coon	Hartman	O'Neill	Smith A E	Yale
Cotton	Hooker	Palmer	Smith J E	Young

Mr. Wadsworth moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Apgar in the chair.

The bill (No. 1696) entitled "An act to provide for annual reports by and the examination of accounts of counties, cities of the second and third classes and villages having a population of 3,000 or more, the tabulation of comparative statistics as to the cost of maintaining the various branches of government in such municipalities and making an appropriation therefor" (Int. No. 809), having been announced for a third reading,

Mr. Hammond moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 1, line 1, after the word "the" insert the word "first."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Gates moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 1, line 3, after the word "more" insert the words "and towns."

Page 2, line 2, after the word "villages" insert the words "supervisors of towns."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Cooke moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 1, line 2, after the word "classes" insert the words "except the city of Albany."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Gates moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 1, line 1, strike out the words "second and."

Same page, line 3, change the word "classes" to "class."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 79

NOES 26

Those who voted in the affirmative were:

Agnew	Cox	Knapp	Patton	Smith J T
Allen F E	Dowling	La Rue	Pendry	Standart
Allen J G	Evans	Leggett	Perry	Stanley
Apgar	Fitzsimons	Lewis	Phillips	Stevens
Bass	Foster	Maier	Plank	Sullivan
Bedell	Francisco	Matthews C R	Pratt	Tenjost
Beihlf	Freidel	McKeown	Rigby	Thonet
Brady	Grattan	McManus	Rogers	Wade
Brooks	Hammond	Mead	Santee	Wadsworth
Burnett	Hapeman	Merritt	Schoeneek	Wainwright
Callahan	Hartman	Monroe	Scovill	West
Carrier	Hastings	Murphy	Sheldon	Wilsnack
Caughlan	Hooker	Newton	Shuttleworth	Wilson
Charles E E	Hooper	Ogden	Slocum	Yale
Coon	Hornidge	O'Neill	Smith A P	Young
Cotton	Hurd	Parker	Smith J E	

Those who voted in the negative were:

Burzynski	Fuller	Mathews T F	Rosenstein	Thompson J A
Cahn	Gates	Palmer	Salomon	Whitney G H
Cooke	Grady	Prince	Shanahan	Wiegand
Dodd	Hackett	Quinn	Sherry	Wolf
Donovan	Malloy	Reilly	Smith R H	Wood F C
Ellis				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1692) entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of Peter Pfeiffer and Alma V. Pfeiffer and Clarence Pfeiffer, infants, against the State of New York for damages to their real property situate on the towing paths bank of the Erie canal at Durhamville, N. Y., alleged to have been caused by leakage of water from said canal" (Int. No. 1054), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

Agnew	Cooke	Hooker	Palmer	Smith A E
Allen F E	Coon	Hooper	Parker	Smith J E
Allen J G	Cotton	Hornidge	Patton	Smith R H
Anderson	Cowan	Hubbs	Pendry	Standart
Apgar	Cox	Hurd	Perry	Steele
Bass	Dale	Knapp	Phillips	Stevens
Becker	Donovan	La Fetra	Plank	Tenjust
Bedell	Dowling	La Rue	Pratt	Thompson G F
Beebe	Etzel	Leggett	Prentice	Thonet
Beihilf	Evans	Lewis	Prince	Tompkins
Bird	Everett	Machacek	Quinn	Wade
Bisland	Fish	Maier	Reeve	Wagner
Brady	Fitzsimons	Malloy	Reilly	Wadsworth
Brooks	Foelker	Mathews T F	Rigby	Wainwright
Burnett	Francisco	Mathews C R	Rogers	Wedemeyer
Burns	Freidel	McKeown	Salomon	Wemple
Burzynski	Gardner	McManus	Sammon	Whitney F G
Byrne	Gates	Merritt	Santee	Whitney G H
Cadin	Grattan	Miller	Scovill	Wiegand
Cahn	Gray	Moreland	Shanahan	Wilsnack
Callahan	Gurnett	Murphy	Sheehy	Wolf
Carrier	Hammond	Newton	Sherry	Wood F C
Caughlan	Hapeman	Nugent	Shuttleworth	Yale
Charles E E	Hartman	Ogden	Smith A P	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 828, Assembly reprint No. 1725) entitled "An act to legalize the issue of bonds of the town of Schroon, in

the county of Essex. authorized by the board of supervisors of said county for the purpose of defraying the expense of rebuilding a bridge over the Schroon river in said town, and to provide for the payment of the principal and interest thereof " (Rec. No. 176), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 112

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hubbs	Pendry	Standart
Allen F E	Cunningham	Kavanaugh	Phillips	Steele
Allen J G	Dodd	Knapp	Plank	Stevens
Anderson	Donovan	La Fetra	Platt	Sullivan
Bass	Ellis	La Rue	Prentice	Thompson G F
Becker	Etzel	Leggett	Prince	Thompson J A
Beihlf	Everett	Lewis	Quinn	Tompkins
Beebe	Fish	Machacek	Reilly	Waddell
Bird	Foelker	Malloy	Rigby	Wade
Bisland	Foster	Mathews T F	Rogers	Wagner
Brady	Francisco	Matthews C R	Salomon	Wadsworth
Burnett	Freidel	McKeown	Sammon	Wainwright
Burns	Gardner	McManus	Schoeneck	Whitney F G
Burzynski	Gates	Merritt	Scovill	Whitney G H
Byrne	Grady	Monroe	Sheehy	Wiegand
Cahn	Gray	Moreland	Sherry	Wilsnack
Callahan	Gurnett	Murphy .	Shuttleworth	Wilson
Caughlan	Hammond	Newton	Slocum	Wolf
Charles E E	Hapeman	Ogden	Smith A P	Wood F C
Charles W B	Hastings	O'Neill	Smith J E	Wood F X
Cooke	Hooker	Palmer	Thompson G F	Yale
Coon	Hooper	Patton	Smith R H	Young
Coutant	Hornidge			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker in the chair.

The bill (No. 1436) entitled "An act to amend chapter 388 of the Laws of 1854, entitled 'An act to incorporate the village of Lyons,' relating to disorderly persons and the jurisdiction of the

police justices " (Int. No. 1149), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 2

Those who voted in the affirmative were:

Agnew	Cunningham	Hubbs	Plank	Steele
Allen F E	Dodd	Hurd	Platt	Stevens
Allen J G	Donovan	Kavanaugh	Pratt	Sullivan
Apgar	Dowling	Knapp	Prentice	Tenjust
Bass	Ellis	La Rue	Prince	Thompson G F
Becker	Etzel	Leggett	Reeve	Thompson J A
Bedell	Evans	Lewis	Reilly	Thonet
Beihliff	Everett	Machacek	Rigby	Tompkins
Bird	Fish	Maier	Rogers	Waddell
Bisland	Foelker	Malloy	Salomon	Wade
Brady	Foster	Mathews T F	Sammon	Wagner
Brooks	Francisco	Matthews C R	Santee	Wadsworth
Burnett	Freidel	McKeown	Schoeneck	Wainwright
Burzynski	Fuller	McManus	Shanahan	Wedemeyer
Byrne	Gates	Merritt	Sheehy	Wemple
Cahn	Grady	Miller	Sheldon	Whitney F G
Callahan	Grattan	Moreland	Shuttleworth	Wiegand
Carrier	Gray	Murphy	Slocum	Wilsnack
Charles E E	Gurnett	Newton	Smith A P	Wilson
Charles W B	Hammond	Ogden	Smith A E	Wolf
Cooke	Hanford	O'Neill	Smith J E	Wood F C
Cotton	Hartman	Patton	Smith R H	Wood F X
Coutant	Hastings	Pendry	Standart	Yale
Cowan	Hooker	Perry	Stanley	Young
Cox	Hooper			

Those who voted in the negative were:

La Petra Palmer

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1699) entitled "An act to amend the Greater New York charter, relative to the term of the mayor, comptroller and borough presidents" (Int. No. 1046), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 95

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hartman	Newton	Sherry
Allen F E	Dale	Hastings	Ogden	Shuttleworth
Allen J G	Dodd	Hooker	Palmer	Slocum
Apgar	Dowling	Hornidge	Patton	Smith A P
Becker	Etzel	Hubbs	Pendry	Smith A E
Bedell	Evans	Hurd	Perry	Stanley
Beihilf	Everett	Knapp	Phillips	Stevens
Bird	Fish	La Rue	Plank	Tenjost
Brady	Fitzsimons	Leggett	Pratt	Thompson G F
Burnett	Foelker	Lewis	Prentice	Waddell
Burns	Francisco	Machacek	Prince	Wagner
Burzynski	Fuller	Mathews T F	Reeve	Wadsworth
Cahn	Gardner	Matthews C R	Rigby	West
Carrier	Grady	McKeown	Rogers	Whitney F G
Caughlan	Grattan	McManus	Sammon	Whitney G H
Charles E E	Gray	Mead	Santee	Wilson
Cooke	Hackett	Miller	Schoeneck	Wood F C
Cotton	Hanford	Moreland	Scovill	Yale
Cowan	Hapeman	Murphy	Shanahan	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1697) entitled "An act to amend section 254 of the Tax Law in relation to costs and disbursements in certiorari proceedings" (Int. No. 719), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Palmer	Smith J E
Allen F E	Dale	Hornidge	Parker	Smith J T
Allen J G	Dodd	Hubbs	Patton	Smith R H
Apgar	Dowling	Hurd	Pendry	Stanley
Bass	Ellis	Kavanaugh	Perry	Steele

Becker	Etzel	Knapp	Phillips	Stevens
Bedell	Evans	La Fetra	Platt	Tenjost
Beebe	Everett	La Rue	Pratt	Thompson G F
Bird	Fish	Leggett	Prentice	Thompson J A
Bisland	Fitzsimons	Lewis	Prince	Thonet
Brady	Foelker	Machacek	Quinn	Tompkins
Brooks	Foster	Maier	Reeve	Wade
Burnett	Francisco	Malloy	Rigby	Wagner
Burns	Freidel	Mathews T F	Rogers	Wadsworth
Burzynski	Fuller	Matthews C R	Rosenstein	Wainwright
Byrne	Gardner	McKeown	Salomon	West
Cadin	Grady	Mead	Sammon	Wemple
Cahn	Grattan	Merritt	Santee	Whitney F G
Carrier	Gray	Miller	Schoeneck	Whitney G H
Caughlan	Gurnett	Monroe	Shanahan	Wilsnack
Charles E E	Hackett	Murphy	Sheehy	Wilson
Cooke	Hammond	Newton	Sheldon	Wood F C
Coon	Hanford	Nugent	Sherry	Wood F X
Cotton	Hartman	Ogden	Slocum	Yale
Coutant	Hastings	O'Neill	Smith A E	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1331) entitled "An act to revise the charter of the city of Yonkers, and to limit the application of chapter 182 of the Laws of 1892 and the acts amendatory thereof" (Int. No. 1037), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hubbs	Pendry	Smith J T
Allen F E	Cox	Hurd	Perry	Smith R H
Allen J G	Cunningham	Kavanaugh	Phillips	Standart
Anderson	Dodd	Knapp	Plank	Steele
Apgar	Donovan	La Rue	Platt	Stevens
Bass	Ellis	Leggett	Pratt	Sullivan
Becker	Etzel	Lewis	Prentice	Thompson G F
Bedell	Evans	Machacek	Prince	Thompson J A
Beebe	Everett	Maier	Quinn	Thonet
Bird	Fitzsimons	Malloy	Reilly	Waddell
Bisland	Foelker	Mathews T F	Rigby	Wade
Brady	Foster	Matthews C R	Rogers	Wagner
Brooks	Francisco	McKeown	Rosenstein	Wadsworth

Burnett	Fuller	McManus	Salomon	Wainwright
Burns	Gardner	Mead	Sammon	Wedemeyer
Burzynski	Grady	Merritt	Santee	Wemple
Byrne	Grattan	Monroe	Schoeneck	Whitney F G
Cahn	Gurnett	Moreland	Scovill	Whitney G H
Callahan	Hackett	Murphy	Shanahan	Wiegand
Caughlan	Hammond	Newton	Sheehy	Wilson
Charles E E	Hanford	Nugent	Sherry	Wolf
Charles W B	Hartman	O'Neill	Shuttleworth	Wood F C
Cooke	Hastings	Palmer	Smith A P	Yale
Cotton	Hooker	Parker	Smith A E	Young
Coutant	Hooper	Patton	Smith J T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 579) entitled "An act to amend the Executive Law, relative to the number of notaries public" (Rec. No. 150), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hurd	Pendry	Standart
Allen F E	Cunningham	Kavanaugh	Perry	Stanley
Allen J G	Dale	Knapp	Phillips	Steele
Anderson	Donovan	La Fetra	Plank	Sullivan
Apgar	Dowling	La Rue	Platt	Tenjust
Bass	Ellis	Leggett	Pratt	Thompson G F
Becker	Etzel	Lewis	Prentice	Thompson J A
Bedell	Evans	Machacek	Prince	Thonet
Beebe	Everett	Maier	Quinn	Tompkins
Beihlf	Fish	Malloy	Reeve	Waddell
Bird	Fitzsimons	Mathews T F	Reilly	Wade
Bisland	Foelker	Matthews C R	Rigby	Wagner
Brady	Foster	McKeown	Rogers	Wadsworth
Brooks	Francisco	McManus	Rosenstein	Wainwright
Burnett	Fuller	Mead	Salomon	Wedemeyer
Burns	Gates	Merritt	Santee	West
Burzynski	Grady	Miller	Schoeneck	Wemple
Byrne	Grattan	Monroe	Scovill	Whitney F G
Cahn	Gray	Moreland	Shanahan	Whitney G H
Callahan	Gurnett	Murphy	Sheehy	Wiegand
Carrier	Hammond	Newton	Sheldon	Wilsnack
Caughlan	Hanford	Nugent	Sherry	Wilson
Charles E E	Hapeman	Ogden	Slocum	Wolf

Cooke	Hartman	O'Neill	Smith A P	Wood F C
Coon	Hooker	Palmer	Smith A E	Wood F X
Cotton	Hooper	Parker	Smith J E	Yale
Coutant	Hornidge	Patton	Smith R H	Young
Cowan				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 818) entitled "An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants" (Rec. No. 208), having been announced for a third reading,

Mr. Patton moved that said bill be recommitted to the committee on canals, with instructions to report the same forthwith amended as follows:

Page 2, line 16, section 2, after the word "effect" strike out the word "immediately" and insert the words "October first, nineteen hundred and five."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Patton, from the committee on canals, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 394) entitled "An act to assess the cost and expense of constructing a bridge over the railroad tracks on Main street east, in the city of Rochester, on the property benefited thereby" (Rec. No. 104), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The Senate bill (No. 798) entitled "An act to legalize and provide for the payment of certain bonds of the village of Little Valley" (Rec. No. 155), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hubbs	Phillips	Standart
Allen F E	Dale	Hurd	Plank	Stanley
Allen J G	Dodd	Kavanaugh	Platt	Steele
Anderson	Donovan	Knapp	Pratt	Stevens
Apgar	Dowling	La Fetra	Prentice	Sullivan
Bass	Ellis	La Rue	Prince	Tenjust
Becker	Etzel	Leggett	Quinn	Thompson G F
Bedell	Everett	Lewis	Reeve	Thompson J A
Beebe	Fish	Machacek	Reilly	Thonet
Beihlf	Fitzsimons	Maier	Rigby	Tompkins
Bird	Foelker	Malloy	Rogers	Waddell
Brady	Foster	Mathews T F	Rosenstein	Wade
Brooks	Francisco	Matthews C R	Salomon	Wagner
Burnett	Freidel	McKeown	Sammon	Wadsworth
Burns	Fuller	McManus	Santee	Wainwright
Burzynski	Gardner	Mead	Schoeneck	Wedemeyer
Byrne	Gates	Merritt	Scovill	West
Cadin	Grady	Miller	Shanahan	Wemple
Cahn	Grattan	Monroe	Sheehy	Whitney F G
Callahan	Gray	Moreland	Sheldon	Whitney G H
Carrier	Hackett	Murphy	Sherry	Wiegand
Caughlan	Hammond	Newton	Shuttleworth	Wilsnack
Charles W B	Hanford	Nugent	Slocum	Wilson
Cooke	Hapeman	Ogden	Smith A P	Wolf
Coon	Hartman	O'Neill	Smith A E	Wood F C
Cotton	Hastings	Palmer	Smith J E	Wood F X
Coutant	Hooker	Parker	Smith J T	Yale
Cowan	Hooper	Patton	Smith R H	Young
Cox	Hornidge	Pendry		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 589) entitled "An act to authorize the common council of the city of New Rochelle to procure an assessment map of said city, and to issue bonds in payment therefor" (Rec. No. 146), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 145

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Patton	Smith J T
Allen F E	Cox	Hornidge	Pendry	Smith R H
Allen J G	Cunningham	Hubbs	Perry	Standart
Anderson	Dodd	Hurd	Phillips	Stanley
Apgar	Donovan	Kavanaugh	Plank	Steele
Rass	Dowling	Knapp	Platt	Stevens
Becker	Ellis	La Fetra	Pratt	Sullivan
Bedell	Etzel	La Rue	Prentice	Tenjust
Beebe	Everett	Leggett	Prince	Thompson G F
Beihliff	Fish	Lewis	Quinn	Thompson J A
Bird	Fitzsimons	Machacek	Reeve	Thonet
Bisland	Foelker	Maier	Reilly	Tompkins
Brady	Foster	Malloy	Rigby	Waddell
Brooks	Francisco	Mathews T F	Rogers	Wade
Burnett	Freidel	Matthews C R	Rosenstein	Wagner
Burns	Fuller	McKeown	Salomon	Wadsworth
Burzynski	Gardner	McManus	Sammon	Wainwright
Byrne	Gates	Mead	Santee	Wedemeyer
Cadin	Grady	Merritt	Schoeneck	West
Cahn	Grattan	Miller	Scovill	Whitney F G
Callahan	Gray	Monroe	Shanahan	Whitney G H
Carrier	Gurnett	Moreland	Sheehy	Wiegand
Caughlan	Hackett	Murphy	Sheldon	Wilsnack
Charles E E	Hammond	Newton	Sherry	Wilson
Charles W B	Hanford	Nugent	Shuttleworth	Wolf
Cooke	Hapeman	Ogden	Slocum	Wood F C
Coon	Hartman	O'Neill	Smith A P	Wood F X
Cotton	Hastings	Palmer	Smith A E	Yale
Coutant	Hooker	Parker	Smith J E	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 591) entitled "An act to amend section 38 of chapter 128 of the Laws of 1891, entitled 'An act to incorporate the city of New Rochelle'" (Rec. No. 145), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hastings	Parker	Smith R H
Allen F E	Dale	Hooker	Patton	Standart
Allen J G	Dodd	Hooper	Pendry	Stanley
Anderson	Donovan	Hornidge	Perry	Steele
Apgar	Dowling	Hubbs	Phillips	Stevens
Bass	Ellis	Hurd	Plank	Sullivan
Becker	Etzel	Kavanaugh	Platt	Tenjost
Bedell	Evans	Knapp	Pratt	Thompson G F
Beebe	Everett	La Fetra	Prentice	Thompson J A
Beihilf	Fish	La Rue	Prince	Thonet
Bird	Fitzsimons	Leggett	Quinn	Tompkins
Bisland	Foelker	Lewis	Reeve	Waddell
Brady	Foster	Machacek	Reilly	Wade
Brooks	Francisco	Malloy	Rigby	Wagner
Burnett	Freidel	Mathews T F	Rosenstein	Wadsworth
Burzynski	Fuller	Matthews C R	Salomon	Wainwright
Byrne	Gardner	McKeown	Sammon	West
Cadin	Gates	McManus	Santee	Wemple
Callahan	Grady	Merritt	Schoeneck	Whitney F G
Carrier	Grattan	Miller	Shanahan	Whitney G H
Caughlan	Gray	Monroe	Sheldon	Wiegand
Charles E E	Gurnett	Moreland	Sherry	Wilsnack
Charles W B	Hackett	Murphy	Shuttleworth	Wilson
Coon	Hammond	Newton	Slocum	Wolf
Cotton	Hanford	Ogden	Smith A P	Wood F C
Coutant	Hapeman	O'Neill	Smith J E	Yale
Cowan	Hartman	Palmer	Smith J T	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 590) entitled "An act to authorize the city of New Rochelle to compensate John Hettinger for injury to his real property caused by the grading and completing of Horton avenue and Brooks street in said city and to authorize the issuance of certificates of indebtedness therefor" (Rec. No. 144), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjost
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihilf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Malloy	Rigby	Waddell
Brady	Foelker	Mathews T F	Rogers	Wade
Brooks	Foster	Mathews C R	Rosenstein	Wagner
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Gates	Miller	Scovill	Wemple
Cahn	Grady	Monroe	Shanahan	Whitney F G
Callahan	Grattan	Moreland	Sheehy	Whitney G H
Carrier	Gray	Murphy	Sheldon	Wiegand
Caughlan	Gurnett	Newton	Sherry	Wilsnack
Charles E E	Hackett	Nugent	Shuttleworth	Wilson
Charles W B	Hammond	Ogden	Slocum	Wolf
Cooke	Hanford	O'Neill	Smith A P	Wood F C
Coon	Hapeman	Palmer	Smith A E	Wood F X
Cotton	Hartman	Parker	Smith J E	Yale
Coutant	Hastings	Patton	Smith J T	Young
Cowan	Hooker			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Hooker offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1047, entitled "An act to amend the Code of Criminal Procedure relative to the persons who may be present during the sessions of a grand jury" (Int. No. 450), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. F. X. Wood offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1246, entitled "An act to amend the Highway Law, relating to the cutting and removing of weeds and brush and providing for the same when the highway is the boundary line between two or more towns" (Int. No. 849), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 610, entitled "An act amending chapter 223 of the Laws of 1890, empowering town boards in Orleans county to raise money for the rental of grand army post rooms" (Rec. No. 120), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 611, entitled "An act to amend section 21 of chapter 47 of the general laws, being the Personal Property Law relating to contracts that must be in writing" (Rec. No. 122), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate,

with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1246, entitled "An act to amend the Highway Law, relating to the cutting and removing of weeds and brush and providing for the same when the highway is the boundary line between two or more towns" (Int. No. 849), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1047, entitled "An act to amend the Code of Criminal Procedure, relative to the persons who may be present during the sessions of a grand jury" (Int. No. 450), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the following entitled bills:

"An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to the payment of money collected by marshals." (No. 435, Senate reprint No. 637, Int. No. 414.)

"An act to release to Ralph A. Dawson and his heirs and assigns the interest of the State in certain lands in the town of Southampton, Suffolk county, N. Y." (No. 508, Senate reprint No. 896, Int. No. 176.)

"An act to amend the Greater New York charter, relative to the classification and instruction of criminals and misdemeanants." (No. 188, Senate reprint No. 806, Int. No. 188.)

"An act to release to Joseph S. Guthorn the right, title and interest of the people of the State of New York to certain real estate situate in the borough of Manhattan, city, county and State of New York." (No. 507, Senate reprint No. 894, Int. No. 303.)

Ordered, That the Clerk deliver said bills to the Governor.

A communication was received from Hon. James G. Cutler, mayor of the city of Rochester, returning Assembly bill No. 1141, entitled "An act to amend chapter 14 of the Laws of 1880 entitled 'An act to further amend chapter 143 of the Laws of 1861 entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," and to consolidate therewith the several acts in relation to the charter of said city,' relating to ordinances" (Int. No. 683), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Rogers, the House adjourned.

TUESDAY, APRIL 4, 1905.

The House met pursuant to adjournment.

Prayer by Rev. J. M. Proctor.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with, and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Tax Law by providing for a tax on transfers of stock" (No. 892, Rec. No. 235), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to amend the Penal Code, in relation to forging State stamps" (No. 379, Rec. No. 236), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to amend the Tax Law in relation to the taxation of debts secured by mortgages" (No. 1013, Rec. No. 237), which was read the first time and referred to the committee on taxation and retrenchment.

"An act making an appropriation for the New York State Reformatory at Elmira" (No. 1130, Rec. No. 244), which was read the first time.

On motion of Mr. Rogers, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK, EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it:

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill No. 1130 (Int. No. 852), entitled "An act making an appropriation for the New York State Reformatory at Elmira."

Given under my hand and the privy seal of the State at the Capitol in the city of Albany this fourth day of April [L. s.] in the year of our Lord one thousand nine hundred and five.

FRANK W. HIGGINS.

By the Governor:

FRANK E. PERLEY,
Secretary to the Governor.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	O'Neill	Smith A E
Allen F E	Cowan	Hooker	Palmer	Smith J E
Allen J G	Cox	Hooper	Parker	Smith J T
Anderson	Cunningham	Hornidge	Patton	Smith R H
Apgar	Dale	Hubbs	Pendry	Standart
Bass	Donovan	Hurd	Perry	Stanley
Becker	Dowling	Kavanaugh	Phillips	Steele
Bedell	Ellis	Knapp	Plank	Stevens
Beebe	Evans	La Rue	Platt	Tenjust
Beihilf	Everett	Lewis	Pratt	Thompson J A
Bird	Fish	McManus	Prince	Thonet
Bisland	Fitzsimons	Maier	Quinn	Waddell

Brady	Foelker	Malloy	Reeve	Wagner
Brooks	Francisco	Mathews T F	Reilly	Wadsworth
Burnett	Freidel	Matthews C R	Rigby	Wainwright
Burns	Fuller	McKeown	Rogers	West
Burzynski	Gardner	McManus	Rosenstein	Wemple
Byrne	Gates	Mead	Sammon	Whitney F G
Cahn	Grady	Merritt	Santee	Wiegand
Callahan	Grattan	Miller	Scovill	Wilsnaek
Carrier	Gurnett	Monroe	Shanahan	Wilson
Caughlan	Hackett	Moreland	Sheehy	Wolf
Charles E E	Hammond	Murphy	Sherry	Wood F C
Charles W B	Hanford	Newton	Shuttleworth	Wood F X
Coon	Hapeman	Nugent	Slocum	Yale
Cotton	Hartman	Ogden	Smith A P	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Patton introduced a bill entitled "An act to repeal section 51 of the Public Lands Law, relating to preferences to original owners on sales of abandoned canal lands" (Int. No. 1386), which was read the first time and referred to the committee on canals.

Mr. Young introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Eliza Knack against the State of New York, for damages alleged to have been sustained by her husband, Ludwig Knack, deceased, in the city of New York, through the negligence of the attendants of the Manhattan State Hospital, at Ward's Island, New York city" (Int. No. 1387), which was read the first time and referred to the committee on claims.

Mr. Apgar introduced a bill entitled "An act to provide for the treatment of inebriates and persons who are addicted to the use of drugs" (Int. No. 1388), which was read the first time and referred to the committee on the judiciary.

Mr. G. F. Thompson introduced a bill entitled "An act to provide for relaying, repairing and reconstructing a drain on the south side of the Erie canal in the village of Middleport, Niagara county, N. Y., and making an appropriation therefor" (Int. No. 1389), which was read the first time and referred to the committee on ways and means.

Mr. Fish introduced a bill entitled "An act to amend the State Charities Law, by providing for the establishment of shop schools for the blind, and for the investigation of the causes of blindness

and the inauguration of measures for its prevention" (Int. No. 1390), which was read the first time and referred to the committee on the judiciary.

Mr. Pratt introduced a bill entitled "An act to vacate and abandon a portion of Second street in the village of Oneida Castle, as a street, and providing that the land lying contiguous to such abandoned portion on the south shall be bounded northerly by a line one rod northerly of the present southerly line of said street and releasing the remainder of said street to the village of Oneida Castle" (Int. No. 1398), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Apgar introduced a bill entitled "An act to revise and consolidate the charter of the village of Ossining, county of Westchester" (Int. No. 1399), which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of villages.

By unanimous consent,

Also a bill entitled "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill and the several acts amendatory thereof'" (Int. No. 1400), which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of villages.

By unanimous consent,

Mr. La Rue introduced a bill entitled "An act to authorize the city of Watertown to borrow money for current municipal expenses arising in relation to the Roswell P. Flower Memorial Library, the maintenance and repair of school buildings and highways, the construction, maintenance and repair of sewers, and to pay temporary deficiencies in the funds of the board of education and the board of public safety, and to issue therefor certificates of indebtedness" (Int. No. 1401), which was read the first time.

On motion of Mr. La Rue, and by unanimous consent, said bill

was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

Mr. Wade gave notice that he would at some future day move to suspend rules 5, 6, 9, 10, 11, 12, 13, 18, 19, 20, 22 and 54, in order that the following bills may be considered, advanced and passed out of their order: Senate bill No. 379 (Rec. No. 236), entitled "An act to amend the Penal Code in relation to forging State stamps," Senate bill No. 892 (Rec. No. 235), entitled "An act to amend the Tax Law by providing a tax on transfers of stock," Senate bill No. 1013 (Rec. No. 237), entitled "An act to amend the Tax Law in relation to the taxation of debts secured by mortgages."

Mr. Wade, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by the committee on taxation and retrenchment, Rec. No. 237, entitled "An act to amend the Tax Law in relation to the taxation of debts secured by mortgages" (No. 1013), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wade, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by the committee on taxation and retrenchment, Rec. No. 235, entitled "An act to amend the Tax Law, by providing for a tax on transfers of stock" (No. 892), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wade, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by the committee on taxation and retrenchment, Rec. No. 236, entitled "An act to amend the Penal Code, in relation to forging State stamps" (No. 379), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Santee, from the committee on public institutions, to which was referred the bill introduced by Mr. Santee, Int. No. 1349, entitled "An act to amend the State Charities Law in relation to the transfer of the duties of the treasurer to the agent of Craig

Colony for Epileptics, and to reimbursement for maintenance of inmates of the colony" (No. 1816), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hammond, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to amend chapter 331 of the Laws of 1898, entitled 'An act in relation to violations of the provisions of the Penal Code, relating to the manufacture or sale of spurious silverware,' by making the provisions thereof apply to the manufacture or sale of spurious goldware." (No. 1463, Int. No. 1177.)

"An act to amend the Forest, Fish and Game Law, relative to close season on woodcock." (No. 1323, Int. No. 1077.)

"An act to authorize the city of Lockport to borrow money, by the issue of bonds, to make needed repairs to Hawley street school building and to improve the heating, ventilating and closet system therein." (No. 1613, Int. No. 1258.)

"An act to amend the Greater New York charter, in relation to the salary of justices of the court of special sessions." (No. 1619, Int. No. 1264.)

"An act to amend the Forest, Fish and Game Law, in relation to close season for trout in Fall Brook creek and its tributaries in the town of Sumner Hill in the county of Cayuga." (No. 1544, Int. No. 1206.)

"An act to amend the Forest, Fish and Game Law, in relation to spearing fish in Ulster county." (No. 1625, Int. No. 599.)

"An act to authorize trustees of the village of Sag Harbor, Suffolk county, to construct and maintain a wharf in such village." (No. 1734, Int. No. 1308.)

"An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 2 of the town of Wawarsing, Ulster county." (No. 711, Int. No. 631.)

"An act to amend the Village Law, relating to the number of members of hose companies." (No. 892, Int. No. 780.)

"An act to amend the Forest, Fish and Game Law, relative to grouse and woodcock not being sold." (No. 1320, Int. No. 1074.)

"An act regulating traffic in meats." (No. 1394, Int. No. 1138.)

"An act to amend the Code fo Civil Procedure relative to the qualification of a referee." (No. 1679, Int. No. 546.)

"An act to provide for the construction and maintenance of a sanitary trunk sewer and sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor." (No. 1797, Int. No. 531.)

"An act to prevent the emasculation of the National anthem, the Star Spangled Banner, in the text-books in use in the public schools of the State of New York." (No. 1712, Int. No. 1305.)

"An act to authorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor." (No. 1446, Int. No. 1160.)

"An act to authorize the expenditure by the city of New York of money for the proper celebration of Memorial day in the year 1905." (No. 1564, Int. No. 1230.)

"An act to provide for the acquisition of certain real estate and wharf property in the borough of Brooklyn for playground and recreative purposes." (No. 193, Int. No. 193.)

"An act to create a new boundary line between the Sixth and Twelfth wards of the city of Troy." (No. 977, Int. No. 835.)

"An act to provide for a boulevard or parkway in the borough of Brooklyn, county of Kings, city of New York." (No. 1361, Int. No. 1102.)

"An act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots and erecting, completing and enlarging school buildings." (No. 978, Int. No. 836.)

"An act to provide for the acquisition of certain real estate, and to lay out a playground in the borough of Brooklyn." (No. 1614, Int. No. 1259.)

"An act to legalize, ratify and confirm a special election held in the village of Hoosick Falls, county of Rensselaer, for the purpose of voting upon a proposition submitted thereat for the purchase by such village of certain real property and the issuance

of bonds for the payment of the purchase price thereof, and for the erection and equipment of a village building thereon." (No. 1858, Int. No. 1150.)

"An act authorizing and directing the city of Troy to pay certain awards made against it for water works purposes and to issue its bonds for the purpose of raising money with which to make such payment." (No. 1546, Int. No. 1208.)

"An act transferring the unexpended balance in the fund for the enlargement of the Erie, the Oswego and the Cayuga and Seneca canals and for the completion of the Black River and Genesee Valley canals and for the enlargement of locks of the Champlain canal to the canal debt sinking fund." (No. 1604, Int. No. 1249.)

"An act to prohibit the docking of horses' tails, and to require a registry of all docked horses now in this State." (No. 845, Int. No. 747.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Eugene Scherri against the State for damages alleged to have been sustained by him, and to render judgment therefor." (No. 1771, Int. No. 919.)

"An act to amend the Penal Code in relation to stamping or marking articles manufactured of gold or of any alloy of gold." (No. 1495, Int. No. 1186.)

"An act to amend the Penal Code in relation to defenses to prosecutions for larceny." (No. 1444, Int. No. 1158.)

"An act to repeal section 115 of the Lien Law, relating to the exemption of certain articles from the provisions of the Lien Law requiring the filing of contracts of conditional sale." (No. 1314, Int. No. 1068.)

"An act to amend the Forest, Fish and Game Law, relative to the use of nets in Coney Island creek." (No. 1325, Int. No. 1079.)

"An act to amend the Forest, Fish and Game Law, relative to the powers of game protectors." (No. 1324, Int. No. 1078.)

"An act to amend the Forest, Fish and Game Law, relative to penalties." (No. 1321, Int. No. 1075.)

"An act to amend the Forest, Fish and Game Law, relative to Jamaica bay and adjacent waters." (No. 1322, Int. No. 1076.)

“An act to amend the County Law, relating to the salary of the county judge and surrogate of Broome county.” (No. 1558, Int. No. 1220.)

“An act to amend the Municipal Law, relative to debts, bonds and taxes for pavement purposes.” (No. 743, Int. No. 662.)

“An act to amend the Compulsory Education Law regarding the powers and duties of truant officers.” (No. 1293, Int. No. 1047.)

“An act to amend chapter 359 of the Laws of 1897, entitled ‘An act to incorporate the city of Rensselaer,’ relative to additional bonds for street pavements and the erection of a fire house, and the issue of bonds therefor.” (No. 1663, Int. No. 1283.)

“An act to amend the Greater New York charter so as to confer power upon the board of estimate and apportionment to appropriate money for the proper observance of Memorial day in the city of New York.” (No. 1563, Int. No. 1229.)

“An act to amend the Greater New York charter so as to authorize the issue of corporate stock in order to provide for deficiencies arising from uncollectable taxes.” (No. 882, Int. No. 767.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1669) entitled “An act to amend section 3 of title 1 of chapter 371 of the Laws of 1903 entitled ‘An act to amend and consolidate the several acts relative to the city of Schenectady,’ by amending said section 3 in relation to the boundaries of the Ninth ward” (Int. No. 1289), reported the same with the following recommendations:

In line 2 of title strike out the words “section three of title one of;” line 5 strike out the words “by amending said sec;” in line 6 strike out the words “tion three.”

Page 1, line 1, after the figure “1,” insert the words “The paragraph relative to the ninth ward in,” and begin second word “Section” with a small “s.”

Same page, line 4, strike out the words “in relation” and the second word “the.”

Same page, line 5, strike out all of said line before word "read."

Page 2, line 1, after the word "ward" insert the words "All that part of said city bounded easterly by the fifth, seventh and eighth wards, southerly, westerly and northerly by the westerly line of the New York Central and Hudson River railroad," in brackets and underscore all of line 1 after the word "ward."

Same page, underscore all of lines 2 to 18, both inclusive.

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1278) entitled, "An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers'" (Int. No. 1036), reported the same with the following recommendations:

Page 1, line 2, after the word "eighty-one," insert a comma and the words "entitled 'An act in relation to the public schools in the city of Yonkers,'" and strike out the word "in."

Same page, strike out all of line 3 except the words "as amended."

Same page, line 5, insert a comma after the word "ninety-nine" and strike out the words "so as."

Same page, line 7, insert a comma after the word "shall."

Same page, line 8, after the word "of," insert in brackets the word "October."

Page 2, line 1, after the word "January" insert the word "September" in brackets.

Same page, line 3, insert a comma after the word "incurred."

Same page, line 7, after the word "of" insert the word "said," insert a comma after the word "chapter" and strike out the words "three hundred and ninety."

Same page, strike out all of lines 8 and 9 except word "as" at end of line 9.

Same page, line 11, insert a comma after the words "ninety-nine," and strike out the words "so as."

Same page, line 13, insert a comma after the word "shall."

Same page, line 15, insert a comma after the word "raised."

Same page, line 17, insert a comma after the word state."

Same page, line 19, strike out the comma after the word "seven," insert a period and strike out the words " and for."

Same page, strike out all of line 20 except the last words " the said."

Same page, line 26, strike out underscoring under the words "for the ensuing current year."

Page 3, line 2, after the word "of" insert the word "anticipated" and strike out the word "incidental."

Same page, line 3, underscore the letter "s" in the word "expenditures."

Same page, line 5, insert a comma after the first word "board."

Same page, line 7, after the first word "the" insert in brackets the word "common council" and underscore all the rest of said line.

Same page, line 8, underscore all of line except the words "to levy."

Same page, line 15, insert a comma after the word "tendence."

Same page, line 23, insert a comma after the word "item."

Same page, line 25, after the word "of" insert the word "said;" after the word "chapter" insert a comma and strike out the words "three hundred and ninety."

Same page, strike out all of lines 26 and 27.

Page 4, line 2, strike out the words "so as."

Same page, line 5, insert commas after the words "council" and "clerk."

Same page, line 7, insert comma after the word "raised."

Same page, line 14, after the second word "each" insert the word "such."

Same page, line 17, insert a comma after the word "Yonkers."

Same page, line 18, insert a comma after the word "seal."

Same page, line 20, strike out the comma after the word "therein."

Same page, line 22, strike out the semicolon after the word "interest" and insert a comma.

Page 5, line 5, after the word "thereto" insert the word "and."

Same page, line 10, after the word "him" insert a comma.

Same page, line 16, underscore the third word "the."

Same page, line 18, after the word "of" insert the word "said;" insert a comma after the word "chapter," and strike out the words "three hundred and ninety."

Same page, strike out all of lines 19 and 20 except the last word "as" in line 20.

Same page, line 22, strike out the words "so as."

Page 6, line 6, after the word "months" insert in brackets the words "from October;" strike out the underscoring under the words "to April," and after the word "year" insert a comma.

Same page, line 7, underscore the words "nineteen hun-."

Same page, line 8, underscore the words "dred and five" and "January, nineteen hundred and," and after the word "of" insert in brackets the word "October."

Same page, line 9, underscore the words "seven and" and "January;" after the word "of" insert in brackets the word "October" and strike out underscoring under the words "first day of," "in any year."

Same page, line 10, strike out all the underscoring except under the word "January," and after the word "of" insert in brackets the word "October."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1458) entitled "An act to amend chapter 152 of the Laws of 1899, entitled 'An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths,' in relation to the appointment of sidepath police" (Int. No. 1172), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-nine" insert the words "entitled 'An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths.'"

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1660) entitled "An act to amend the Tenement House Act in relation to fire escapes" (Int. No. 1280), reported the same with the following recommendations:

Amend the title by inserting a comma after the word "act."

Page 1, line 4, strike out the words "chapter five hundred and fifty-five of the laws of."

Same page, strike out all of line 5.

Same page, line 6, strike out the words "of the laws of nineteen hundred and two."

Same page, line 7, after the last word "and" insert the words "as amended by."

Same page, line 8, change the word "chapters" to "chapter," and strike out the words "three hundred and forty-six and."

Page 2, line 1, insert a comma after the word "escapes."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 824) entitled "An act to amend the Penal Code, in relation to the unlawful taking, copying or use of trade lists, lists of customers, subscribers, etc." (Int. No. 725), reported the same with the following recommendations:

Page 1, line 2, strike out the words "shall be" and insert the words "is hereby," and strike out the words "so as."

Page 2, line 4, after the word "telegram" insert a comma.

Same page, line 8, after the word "telegram" insert a comma.

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was

referred the bill (No. 1598) entitled "An act to amend the State Finance Law, in relation to the education fund" (Int. No. 1243), reported the same with the following recommendations:

Page 1, line 4, after the word "laws" insert the words "as amended by chapter two hundred and twenty-five of the laws of nineteen hundred and four."

Page 2, line 5, before the word "ceded" insert the word "or."

Same page, line 11, after the word "fund" insert a comma.

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1793) entitled "An act to amend the Penal Code in relation to crimes against the elective franchises" (Int. No. 775), reported the same with the following recommendations:

Amend the title by inserting a comma in second line after the word "code."

Page 1, line 2, after the word "code" insert a comma.

Same page, line 4, after the word "code" insert a comma.

Same page, line 9, after the word "records" insert a comma.

Same page, line 15, after the word "code" insert a comma.

Same page, line 23, after the word "he" insert a comma.

Page 3, line 17, strike out the comma after the word "electors."

Same page, line 21, after the word "two" insert the word "and;" strike out the word "nor" and insert the word "not."

Same page, line 22, after the word "code" insert a comma.

Page 4, line 5, after the word "code" insert a comma.

Same page, line 21, after the word "code" insert a comma.

Same page, line 23, after the word "nomination" insert a comma.

Page 5, line 14, after the word "who" insert a comma.

Same page, line 16, after the word "or" insert a comma.

Same page, line 18, after the word "or" insert a comma.

Same page, line 19, after the word "ballot" insert a comma.

Same page, line 21, after the word "or" insert a comma.

Page 6, line 1, after the word "code" insert a comma.

Same page, line 11, after the word "code" insert a comma.

Page 7, line 16, after the word "code" insert a comma.

Page 10, line 1, after the word "code" insert a comma.

Page 11, line 4, after the word "election" insert a comma.

Same page, line 5, strike out the word "by" and insert the word "for."

Same page, line 12, after the word "code" insert a comma.

Same page, line 14, underscore the words "Conspiracy to promote or prevent election."

Same page, line 22, after the word "code" insert a comma.

Same page, line 24, after the word "offense" strike out the period and insert a semicolon and the words "second offence."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1608) entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' as amended, relative to assessments" (Int. No. 1253), reported the same with the following recommendations:

Strike out the words "as amended" in last line of title.

Page 5, line 16, after the word "of" insert the word "said;" after the word "chapter" insert a comma and strike out the words "six hundred fifteen of the laws."

Same page, line 17, strike out the words "of eighteen hundred and ninety-four."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1707) entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown,' as amended by chapter 399 of the Laws of 1903, in relation to the amount of money to be raised for the use of the board of education" (Int. No. 1300), reported the same with the following recommendations:

In line 4 of title, strike out the words "as amended by chap.;" strike out all of line 5, and the words "hundred and three" in line 6.

Page 1, line 5, strike out the words "so as."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1310) entitled "An act to amend section 6 of title 6 of the Consolidated School Law, relative to the alteration of school districts having a bonded indebtedness" (Int. No. 1064), reported the same with the following recommendations:

In second line of title, strike out the words "section six of title six of."

Page 1, line 2, after the word "ninety-four" insert the words "entitled 'An act to revise, amend and consolidate the general acts relating to public instruction,'" and strike out the word "known."

Same page, line 3, strike out the words "as the consolidated school law."

Page 2, line 3, after the word "free" insert the word "school."

Same page, line 17, strike out the word "they" and insert the word "it."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1176) entitled "An act to amend the Labor Law relative to the evidence of age of minor employees in factories, mercantile and other establishments" (Int. No. 978), reported the same with the following recommendations:

Insert a comma in second line of title after the word "law."

Page 1, line 5, strike out the word "so."

Same page, line 6, strike out the word "as."

Page 2, line 4, insert a comma after the word "inspection."

Page 3, line 14, after the word "of" insert the word "said;" insert a comma after the word "chapter," and strike out the words "four hun-."

Same page, strike out all of lines 15 and 16.

Same page, line 17, strike out the words "ter thirty-two of the general laws."

Same page, line 19, strike out the words "so as."

Page 5, strike out the underscoring under line 17.

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

"An act to legalize the action of the biennial town meeting of the town of Lawrence, county of St. Lawrence, in voting upon a town proposition for the purchase of a stone crushing machine and an engine to operate the same, and authorizing the town board and commissioner of highways in such town to purchase such stone crushing machine and engine." (No. 1318, Int. No. 1072.)

"An act to amend the State Finance Law, in relation to receipts and expenditures." (No. 1789, Int. No. 741.)

"An act to amend the Code of Civil Procedure, relative to the disclosure of information acquired by physicians and nurses tending to show the commission of crimes of which children under sixteen have been victims." (No. 1787, Rec. No. 117.)

"An act to amend the Military Code, relative to relief from civil or criminal liability, security for and award of costs." (No. 1788, Int. No. 1233.)

"An act to cancel and annul certain unpaid assessments for local improvements affecting property in the city of New York now belonging to the Hebrew Infant Asylum of the city of New York." (No. 419, Int. No. 387.)

Mr. Wainwright offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill No. 588, entitled "An act to amend the charter of the city of New Rochelle in relation to the leasing of certain privileges in Hudson park." (Rec. No. 147.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced for a second reading,

On motion of Mr. Wainwright, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

Mr. La Fetra offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill No. 979, entitled "An act to amend section 888 of the Greater New York charter in relation to the appointment of deputy tax commissioners among the boroughs." (Rec. No. 228.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced for a second reading,

On motion of Mr. La Fetra, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. La Fetra, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

Mr. Hornidge offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on engrossed bills be discharged from the further consideration of Assembly bill No. 1394, entitled "An act regulating traffic in meats." (Int. No. 1138.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Hornidge, said bill was recommitted to the committee on general laws, retaining its place on the order of third reading.

Mr. Burnett in the chair.

The Senate bill (No. 293) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 4 of article 7 of the Constitution in relation to the time within which debts of the State must be paid and striking from said section certain limitations" (Rec. No. 100), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 87

NOES 26

Those who voted in the affirmative were:

Agnew	Cowan	La Rue	Plank	Steele
Allen F E	Cox	Lewis	Platt	Stevens
Allen J G	Dowling	Maier	Pratt	Tenjust
Apgar	Etzel	Matthews C R	Prentice	Thompson G F
Bass	Evans	Mead	Quinn	Thonet
Bedell	Foster	Merritt	Reilly	Waddell
Beebe	Francisco	Monroe	Rigby	Wadsworth
Beihlf	Gardner	Moreland	Rogers	Wainwright
Bisland	Gates	Murphy	Santee	Wemple
Brady	Grady	Newton	Scovill	Whitney F G
Brooks	Grattan	Ogden	Shuttleworth	Whitney G H
Burnett	Hammond	O'Neill	Slocum	Wilsnack
Burzynski	Hanford	Parker	Smith A P	Wilson
Carrier	Hapeman	Patton	Smith J E	Wood F C
Charles E E	Hornidge	Pendry	Smith J T	Wood F X
Coon	Hurd	Perry	Standart	Yale
Cotton	Knapp	Phillips	Stanley	Young
Coutant	La Fetra			

Those who voted in the negative were:

Anderson	Donovan	Malloy	Prince	Wade
Bird	Fish	Mathews T F	Rosenstein	Wagner
Burns	Fitzsimons	McKeown	Smith R H	Wedemeyer
Cahn	Fuller	Nugent	Thompson J A	West
Caughlan	Hackett	Palmer	Tompkins	Wolf
Cooke				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 999) entitled, "An act to amend the General City Law relative to certain municipal contracts in cities of the second and third class" (Int. No. 858), having been announced for a third reading,

On motion of Mr. Hammond, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of third reading.

The bill (No. 1622) entitled "An act to locate and designate a site for a public library in the borough of Brooklyn upon lands owned by the city of New York" (Int. No. 935), having been announced for a third reading,

On motion of Mr. O'Neill, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1519) entitled "An act to amend the Greater New York charter, relative to the department of docks and ferries" (Int. No. 251), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 93

NOES 17

Those who voted in the affirmative were:

Allen F E	Dowling	Leggett	Scovill	Thonet
Apgar	Etsel	Maier	Sheehy	Tompkins
Bass	Evans	Malloy	Sheldon	Waddell
Bedell	Fish	Mathews T F	Sherry	Wade
Beebe	Fitzsimons	Matthews C R	Shuttleworth	Wagner
Beihlf	Freidel	Monroe	Slocum	Wadsworth
Brady	Fuller	Moreland	Smith A P	Wainwright
Brooks	Gardner	Newton	Smith J E	Wedemeyer
Burnett	Gates	Nugent	Smith J T	West
Burzynski	Grady	Ogden	Smith R H	Wemple
Cadin	Grattan	Patton	Standart	Whitney F G
Callahan	Hammond	Phillips	Stanley	Whitney G H
Caughlan	Hanford	Plank	Steele	Wiegand
Charles E E	Hartman	Platt	Stevens	Wilsnack
Cooke	Hooper	Pratt	Sullivan	Wood F C
Coon	Hornidge	Quinn	Tenjost	Wood F X
Coutant	Hurd	Rogers	Thompson G F	Yale
Cox	Kavanaugh	Salomon	Thompson J A	Young
Donovan	La Rue	Santee		

Those who voted in the negative were:

Anderson	Cotton	Murphy	Perry	Shanahan
Burns	Hackett	O'Neill	Prentice	Wilson
Cahn	La Fetra	Pendry	Rosenstein	Wolf
Carrier	Merritt			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 104) entitled "An act to prohibit the assignment of wages to become due in the future" (Int. No. 104), having been announced for a third reading,

On motion of Mr. Hammond, said bill was recommitted to the committee on general laws, retaining its place on the order of third reading.

The bill (No. 1676) entitled "An act to amend the Code of Civil Procedure, in relation to the evidence and damages in actions for libel" (Int. No. 942), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 84

NOES 7

Those who voted in the affirmative were:

Allen F E	Etzel	La Rue	Patton	Steele
Allen J G	Evans	Leggett	Perry	Sullivan
Bass	Fish	Lewis	Phillips	Thompson G F
Bedell	Foster	Maier	Plank	Thonet
Beebe	Freidel	Malloy	Platt	Tompkins
Brady	Gardner	Mathews T F	Pratt	Wade
Brooks	Gates	Matthews C R	Rogers	Wagner
Burnett	Grattan	McKeown	Rosenstein	Wadsworth
Cadin	Hackett	Mead	Santee	West
Callahan	Hammond	Monroe	Scovill	Wemple
Charles W B	Hanford	Moreland	Sheldon	Wilsnack
Cooke	Hapeman	Murphy	Shuttleworth	Wilson
Coon	Hartman	Newton	Smith A P	Wood F C
Cotton	Hastings	Nugent	Smith J E	Wood F X
Cowan	Hooper	Ogden	Smith J T	Yale
Dodd	Hornidge	O'Neill	Standart	Young
Ellis	Hurd	Palmer	Stanley	

Those who voted in the negative were:

Cahn	Merritt	Shanahan	Sherry	Wainwright
Grady	Prentice			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker in the chair.

The bill (No. 1467) entitled "An act to amend the Code of Civil Procedure, in relation to advancements" (Int. No. 657), having been announced for a third reading,

Mr. Rogers moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 3, line 5, after the word "five" strike out the period and insert a semicolon and the words "except that the provisions of this amendment shall not affect any action or proceeding now pending."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Phillips, from the committee on codes, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1569) entitled "An act to release to Peter H. L. Bradt and James J. Bradt the right, title and interest of the people of the State of New York acquired by escheat in and to certain real estate situate in the city of Niagara Falls, county of Niagara and State of New York" (Int. No. 453), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Pendry	Smith R H
Allen F E	Cowan	Hornidge	Perry	Standart
Allen J G	Cox	Hubbs	Phillips	Steele
Anderson	Cunningham	Hurd	Plank	Stevens
Apgar	Dale	Kavanaugh	Platt	Sullivan
Bass	Dodd	Knapp	Pratt	Tenjost
Becker	Donovan	La Rue	Prentice	Thompson G F
Bedell	Dowling	Leggett	Prince	Thompson J A
Beebe	Ellis	Lewis	Quinn	Tompkins
Beihilf	Etzel	Machacek	Reeve	Waddell
Bird	Everett	Maier	Reilly	Wade

Brady	Fish	Malloy	Rigby	Wagner
Brooks	Fitzsimons	McKeown	Rogers	Wadsworth
Burnett	Foelker	McManus	Rosenstein	Wedemeyer
Burns	Foster	Mead	Salomon	West
Burzynski	Freidel	Merritt	Santee	Wemple
Byrne	Fuller	Miller	Schoeneck	Whitney F G
Cadin	Gardner	Monroe	Scovill	Whitney G H
Cahn	Gates	Moreland	Shanahan	Wiegand
Callahan	Grady	Murphy	Sheehy	Wilsnack
Carrier	Grattan	Newton	Sherry	Wilson
Caughlan	Gray	Nugent	Shuttleworth	Wolf
Charles E E	Hackett	Ogden	Slocum	Wood F C
Cooke	Hanford	O'Neill	Smith A E	Wood F X
Coon	Hapeman	Palmer	Smith J E	Yale
Cotton	Hastings	Patton	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1621) entitled "An act to amend the Greater New York charter, relative to the use of school buildings" (Int. No. 1142), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	La Fetra	Platt	Standart
Allen J G	Dodd	La Rue	Pratt	Stanley
Anderson	Donovan	Leggett	Prentice	Steele
Apgar	Ellis	Lewis	Prince	Stevens
Bass	Etzel	Machacek	Quinn	Sullivan
Bedell	Evans	Malloy	Reeve	Tenjost
Becker	Fish	Mathews T F	Reilly	Thompson G F
Bird	Fitzsimons	Matthews C R	Rigby	Thompson J A
Bisland	Foelker	McKeown	Rogers	Thonet
Brady	Foster	McManus	Rosenstein	Tompkins
Brooks	Francisco	Mead	Salomon	Waddell
Burnett	Freidel	Merritt	Sammon	Wade
Burzynski	Gardner	Monroe	Santee	Wagner
Byrne	Gates	Moreland	Schoeneck	Wadsworth
Cadin	Grattan	Murphy	Scovill	Wainwright
Cahn	Gray	Newton	Shanahan	Wedemeyer
Callahan	Gurnett	Nugent	Sheehy	West
Carrier	Hackett	Ogden	Sheldon	Wemple
Charles E E	Hammond	O'Neill	Sherry	Whitney F G
Charles W B	Hapeman	Palmer	Shuttleworth	Wiegand
Cooke	Hastings	Parker	Slocum	Wilsnack
Coon	Hooker	Patton	Smith A P	Wolf

Cotton	Hooper	Pendry	Smith A E	Wood F C
Coutant	Hubbs	Perry	Smith J E	Wood F X
Cowan	Hurd	Phillips	Smith J T	Yale
Cox	Kavanaugh	Plank	Smith A E	Young
Cunningham				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Burnett moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Agnew	Cunningham	Hurd	Perry	Smith J T
Allen F E	Dodd	Kavanaugh	Phillips	Smith R H
Anderson	Donovan	Knapp	Plank	Stanley
Apgar	Dowling	La Fetra	Platt	Steele
Bass	Ellis	La Rue	Pratt	Stevens
Bedell	Etzel	Leggett	Prentice	Sullivan
Beihlf	Evans	Machacek	Prince	Thompson G F
Bisland	Fish	Maier	Quinn	Thonet
Brady	Fitzsimons	Malloy	Reilly	Waddell
Brooks	Foster	Mathews T F	Rigby	Wade
Burnett	Francisco	Matthews C R	Rogers	Wagner
Burzynski	Freidel	Mead	Rosenstein	Wadsworth
Cadin	Fuller	Merritt	Salomon	Wainwright
Cahn	Gardner	Monroe	Santee	West
Callahan	Gates	Moreland	Scovill	Wemple
Carrier	Grady	Murphy	Shanahan	Whitney F G
Caughlan	Gray	Newton	Sheehy	Whitney G H
Charles E E	Grattan	Nugent	Sheldon	Wiegand
Charles W B	Hackett	Ogden	Sherry	Wilsnack
Cooke	Hammond	O'Neill	Shuttleworth	Wilson
Coon	Hanford	Palmer	Slocum	Wolf
Cotton	Hapeman	Parker	Smith A P	Wood F C
Coutant	Hartman	Patton	Smith A E	Wood F X
Cowan	Hastings	Pendry	Smith J E	Young
Cox	Hooper			

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Mr. Burnett moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1303) entitled "An act providing for first and second district attorneys in the county of Oneida and providing for their salaries and prescribing their duties" (Int. No. 1057), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 93

NOES 22

Those who voted in the affirmative were:

Agnew	Cowan	Hurd	Platt	Stevens
Allen F E	Cox	Knapp	Pratt	Sullivan
Anderson	Cunningham	La Rue	Prentice	Tenjest
Apgar	Dowling	Leggett	Reilly	Thompson G F
Bass	Etzel	Maier	Rigby	Thonet
Bedell	Evans	Matthews C R	Rogers	Waddell
Beihliff	Fish	Mead	Rosenstein	Wade
Bisland	Foster	Merritt	Salomon	Wadsworth
Brady	Francisco	Monroe	Santee	Wainwright
Brooks	Freidel	Moreland	Scovill	West
Burnett	Gardner	Murphy	Sheldon	Wemple
Cadin	Gates	Newton	Shuttleworth	Whitney F G
Callahan	Grattan	Ogden	Slocum	Whitney G H
Carrier	Hammond	O'Neill	Smith J E	Wilsnack
Charles E E	Hanford	Parker	Smith J T	Wilson
Charles W B	Hapeman	Patton	Standart	Wood F C
Coon	Hartman	Pendry	Stanley	Yale
Cotton	Hastings	Perry	Steele	Young
Coutant	Hooper	Phillips		

Those who voted in the negative were:

Cahn	Gurnett	Mathews T F	Quinn	Thompson J A
Cooke	Hackett	Palmer	Shanahan	Tompkins
Donovan	Kavanaugh	Plank	Smith A P	Wagner
Fuller	La Fetra	Prince	Smith R H	Wolf
Grady	Malloy			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 546, Assembly reprint No. 1677) entitled "An act to provide for the safety of passengers and for protection against fire on excursion boats" (Rec. No. 110), having been announced for a third reading,

On motion of Mr. Salomon, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1766) entitled "An act to amend the Code of Civil Procedure, relative to precepts in dispossess proceedings" (Int. No. 862), having been announced for a third reading,

Mr. Prentice moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 2, line 15, strike out the words "justice of said court" and insert in place thereof the words "marshal of the city of New York."

Same page, line 16, strike out the word "city" and insert in place thereof the words "justice of said court."

Same page, line 17, strike out the word "marshal."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Phillips, from the committee on codes, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1768) entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' in relation to the location of tracks of street surface railroads" (Int. No. 966), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 138

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Palmer	Smith R H
Allen F E	Cowan	Hooper	Parker	Standart
Allen J G	Cox	Hornidge	Patton	Stanley
Anderson	Cunningham	Hubbs	Pendry	Stevens
Apgar	Dale	Hurd	Perry	Sullivan
Bass	Dodd	Kavanaugh	Plank	Tenjost
Becker	Donovan	Knapp	Platt	Thompson G F
Bedell	Ellis	La Fetra	Pratt	Thompson J A
Beebe	Etzel	La Rue	Prince	Thonet
Beihlf	Evans	Leggett	Quinn	Waddell
Bird	Fish	Lewis	Reeve	Wade
Bisland	Fitzsimons	Machacek	Reilly	Wagner
Brady	Foelker	Maier	Rigby	Wadsworth
Brooks	Foster	Malloy	Rogers	Wainwright
Burnett	Francisco	Mathews T F	Rosenstein	Wedemeyer
Burns	Freidel	Matthews C R	Sammon	West
Burzynski	Fuller	McKeown	Santee	Wemple

Byrne	Gates	McManus	Schoeneck	Whitney F G
Cadin	Grady	Mead	Scovill	Whitney G H
Cahn	Grattan	Merritt	Shanahan	Wiegand
Callahan	Gray	Miller	Sheldon	Wilsnack
Carrier	Gurnett	Monroe	Sherry	Wilson
Caughlan	Hackett	Moreland	Slocum	Wolf
Charles E E	Hammond	Murphy	Smith A P	Wood F C
Charles W B	Hanford	Newton	Smith A E	Wood F X
Cooke	Hapeman	Nugent	Smith J E	Yale
Coon	Hartman	Ogden	Smith J T	Young
Cotton	Hastings	O'Neill		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 512, Assembly reprint No. 1767) entitled "An act amending section 165 of the Town Law relating to fees of officers in criminal proceedings" (Rec. No. 114), having been announced for a third reading,

On motion of Mr. Thompson, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1739) entitled "An act to amend chapter 430 of the Laws of 1903, entitled 'An act authorizing the paving of streets and portions thereof, within the city of Auburn, and providing the method and means of payment thereof'" (Int. No. 1026), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hornidge	Phillips	Standart
Allen F E	Cox	Hubbs	Plank	Stanley
Allen J G	Cunningham	Hurd	Platt	Steele
Anderson	Dale	Kavanaugh	Pratt	Stevens
Apgar	Dodd	La Fetra	Prentice	Sullivan
Bass	Donovan	La Rue	Prince	Thompson G F
Becker	Ellis	Leggett	Quinn	Thompson J A
Bedell	Etzel	Lewis	Reeve	Thonet
Beihlf	Evans	Maier	Reilly	Tompkins
Bird	Fish	Malloy	Rigby	Waddell

Bisland	Fitzsimons	Mathews T F	Rogers	Wade
Brady	Foelker	Matthews C R	Rosenstein	Wagner
Brooks	Francisco	McKeown	Salomon	Wadsworth
Burnett	Freidel	McManus	Sammon	Wainwright
Burns	Fuller	Mead	Santee	Wedemeyer
Burzynski	Gates	Merritt	Schoeneck	West
Byrne	Grady	Miller	Scovill	Wemple
Cadin	Grattan	Monroe	Sheehy	Whitney F G
Cahn	Gray	Murphy	Sheldon	Whitney G H
Callahan	Gurnett	Newton	Sherry	Wiegand
Carrier	Hackett	Nugent	Shuttleworth	Wilsnack
Caughlan	Hammond	Ogden	Slocum	Wilson
Charles E E	Hanford	O'Neill	Smith A P	Wolf
Charles W B	Hapeman	Parker	Smith A E	Wood F C
Cooke	Hartman	Patton	Smith J E	Wood F X
Cotton	Hooker	Pendry	Smith J T	Yale
Coutant	Hooper	Perry	Smith R H	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1754) entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to health districts" (Int. No. 1148), having been announced for a third reading,

On motion of Mr. Ogden, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1753) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," and to consolidate therewith the several acts in relation to the charter of said city,' in relation to local improvements" (Int. No. 1147), having been announced for a third reading,

On motion of Mr. Ogden, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1756) entitled "An act to amend the Penal Code, relative to advertising and selling counterfeit money" (Int. No. 1159), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 144

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Patton	Standart
Allen F E	Cunningham	Hooper	Pendry	Stanley
Allen J G	Dale	Hornidge	Perham	Steele
Anderson	Dodd	Hubbs	Perry	Stevens
Apgar	Donovan	Hurd	Phillips	Sullivan
Aass	Dowling	Kavanaugh	Plank	Tenjost
Becker	Ellis	Knapp	Platt	Thompson G F
Bedell	Etzel	La Fetra	Pratt	Thompson J A
Beebe	Evans	Leggett	Prince	Thonet
Beihlf	Everett	Lewis	Quinn	Tompkins
Bird	Fish	Machacek	Reeve	Waddell
Bisland	Fitzsimons	Maier	Reilly	Wade
Brady	Foelker	Malloy	Rogers	Wagner
Brooks	Foster	Mathews T F	Rosenstein	Wadsworth
Burnett	Francisco	Matthews C R	Salomon	Wainwright
Burzynski	Freidel	McKeown	Sammon	Wedemeyer
Byrne	Fuller	McManus	Santee	West
Cadin	Gardner	Mead	Schoeneck	Wemple
Cahn	Gates	Merritt	Scovill	Whitney F G
Callahan	Grady	Miller	Shanahan	Whitney G H
Carrier	Grattan	Monroe	Sheehy	Wiegand
Caughlan	Gray	Moreland	Sheldon	Wilsnack
Charles E E	Gurnett	Murphy	Shuttleworth	Wilson
Charles W B	Hackett	Newton	Slocum	Wolf
Cooke	Hammond	Nugent	Smith A P	Wood F C
Coon	Hanford	Ogden	Smith A E	Wood F X
Cotton	Hapeman	O'Neill	Smith J E	Yale
Coutant	Hartman	Palmer	Smith J T	Young
Cowan	Hastings	Parker	Smith R H	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1763) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' relative to service of precept in dispossess proceedings" (Int. No. 863), having been announced for a third reading,

Mr. Prentice moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 1, line 6, strike out the word "the" between the words "case" and "copy" and insert in place thereof the word "a."

Same page, same line, strike out the word "a" between the words "of" and "complaint" and insert in place thereof the word "the."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1752) entitled "An act to amend chapter 386 of the Laws of 1888, entitled 'An act to authorize the city of Yonkers to issue bonds for the purpose of raising money to construct bridges over watercourses in said city,' relative to the amount for which bonds are to be issued" (Int. No. 1201), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Perry	Standart
Allen F E	Cox	Hornidge	Plank	Stanley
Allen J G	Cunningham	Hubbs	Platt	Steele
Anderson	Dale	Hurd	Pratt	Stevens
Apgar	Dodd	Kavanaugh	Prentice	Sullivan
Bass	Donovan	Knapp	Prince	Tenjust
Becker	Dowling	La Fetra	Quinn	Thompson G F
Bedell	Ellis	La Rue	Reeve	Thompson J A
Beebe	Etzel	Leggett	Reilly	Thonet
Beihilf	Evans	Lewis	Rigby	Tompkins
Bird	Fish	Machacek	Rogers	Waddell
Bisland	Fitzsimons	Maier	Rosenstein	Wade
Brady	Foelker	Malloy	Salomon	Wagner
Brooks	Foster	Mathews T F	Sammon	Wadsworth
Burnett	Francisco	Matthews C R	Santee	Wainwright
Burns	Freidel	McKeown	Schoeneck	Wedemeyer
Burzynski	Gardner	Mead	Scovill	West
Byrne	Gates	Merritt	Shanahan	Wemple
Cadin	Grady	Miller	Sheehy	Whitney F G
Cahn	Grattan	Monroe	Sheldon	Whitney G H
Callahan	Gray	Moreland	Sherry	Wiegand
Carrier	Gurnett	Murphy	Shuttleworth	Wilsnack
Caughlan	Hackett	Newton	Slocum	Wilson
Charles E E	Hammond	Ogden	Smith A P	Wolf
Charles W B	Hanford	O'Neill	Smith A E	Wood F C
Cooke	Hapeman	Palmer	Smith J E	Wood F X
Coon	Hartman	Parker	Smith J T	Yale
Cotton	Hastings	Patton	Smith R H	Young
Coutant	Hooker	Pendry		

* Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1751) entitled "An act to amend the Code of Criminal Procedure, relating to the powers and duties of probation officers" (Int. No. 676), having been announced for a third reading,

On motion of Mr. O'Neill, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1750) entitled "An act to amend chapter 202 of the Laws of 1897, entitled 'An act authorizing the board of supervisors of the county of Oneida to designate a board of equalization in and for said county, and defining its powers and duties,' in relation to the appointment of a board of equalization for the county of Oneida and defining its powers, duties" (Int. No. 1050), having been announced for a third reading,

Mr. Palmer.—I desire to move to strike this bill from the calendar, upon the ground that the title does not express what is sought to be accomplished by the bill. I read: "An act to amend chapter 202 of the Laws of 1897, entitled 'An act authorizing the board of supervisors of the county of Oneida to designate a board of equalization in and for said county, and defining its powers and duties.'" On page 2 of the bill the provisions of the bill which provide for the board of supervisors appointing an equalization board is stricken out and this provision of law is made under that title—"Within twenty days after the passage of this act the county judge of the county of Oneida shall appoint six persons who shall be known as the board of equalization." Not a single word is said in the title of the bill that the county judge is to appoint any board.

Mr. Evans.—I fail to see how the objection of the gentleman from Schoharie is well taken. This act amends the Laws of 1897, chapter 202, and that is the title of the act that is being amended; and it seems to me that this title fully describes what is intended by this act, and where anything it said about the act that is amended it states in relation to the appointment of a board of equalization of the county of Oneida. I do not know how anything could be any more explicit than that.

Mr. Palmer.—Has the gentleman read the decision of the Court of Appeals within about three months with reference to a law passed last year with reference to the city of Troy?

Mr. Evans.—I have not.

Mr. Palmer.—Is there a single reference in the title of this bill that the county judge is to appoint the board of equalization?

Mr. Evans.—No, there is not; but that is covered by this general act where it says it relates to the appointment. Otherwise we would have to quote the entire bill in the title, if you provide for everything that is contained in the bill.

Mr. Palmer.—No, Mr. Speaker. If the title of this bill had said to amend that act and providing for the appointment of an equalization board by the county judge that would have indicated something that is contained in the bill; but there is not even an intimation in the title of the bill that the county judge is to appoint; but it says it amends the act and allows the board of supervisors to appoint; the only suggestion in the title is that the board of supervisors is to appoint—not even a suggestion with reference to the county judge.

Mr. Speaker.—The Chair is of the impression that the title of this bill ought to be amended, Mr. Evans.

Mr. Gates.—Mr. Speaker, this bill was drawn by the bill drafting department and was gone over very carefully by Mr. Gilbert and revised specially with reference to the supposed opposition that this bill would encounter. I am unable to understand or appreciate how the title of this bill can be any different than it now is.

Mr. Palmer.—I ask you if you read the title of this bill would you find out whether or not the county judge was to do anything about the appointment?

Mr. Gates.—Certainly not. And I suggest to you that if you read the title of any bill from the files here you could not tell all that is included within that bill. It says, in relation to the board of equalization in the county of Oneida; and it amends a former act with reference to it. Now I think the idea or notion that we've got to put into our title every particle of the subject-

matter of the bill is altogether a mistaken one. Of course, if the distinguished Speaker so rules, we will acquiesce in that and have it amended accordingly, but it strikes me that it is going pretty far with this ruling.

Mr. Steele.—Mr. Speaker, I just want to call attention to the part of the title that is criticised by the gentleman from Schoharie. It will be seen that that part is merely a recital or a quotation of the original bill. That is, an act—the original bill which this amends—an act authorizing the board of supervisors of the county of Oneida to designate a board of equalization in and for said county and defining its powers and duties.

Mr. Palmer.—I ask you have you read the recent decision of the Court of Appeals with reference to the bill passed in reference to the city of Troy, last year?

Mr. Steele.—I think I have. But I do not think it has any bearing on this bill at all.

Mr. Palmer.—Wasn't that decided to be unconstitutional for the reason that the subject-matter was not called to the attention—was not called in the title of the bill?

Mr. Steele.—Certainly the subject-matter—as to the subject-matter the attention is called to it—it is in relation to the appointment of a board of equalization in the county of Oneida and defining its powers and duties. The only thing, Mr. Speaker, that is left out of this is saying how the board is appointed. Is it possible that it is necessary, in an act of this kind, to call attention to every particular thing in the bill, or is it merely necessary to call attention to the subject? And what is the subject? The subject is the appointment—not by whom the board is appointed. In quoting the title of the act it does say by the board of supervisors, and it is necessary that that quotation should be in there, or it would not properly quote the act that this amends. Now the amendment is what? “In relation to the appointment of a board of equalization for the county of Oneida and defining its powers and duties.” Now the only thing that could be added to it—and it goes beyond ordinary—would be to state in relation to the appointment by the county judge

instead of the supervisors, and it is possible that the Constitution requires it in language as specific as that.

Mr. Speaker.—If the gentlemen will yield, it is a very close question with reference to this title. Of course, the bill does not say that the power of appointment is to be lodged with the county judge; but it does say the amendment of an act with reference to an appointment. Now there is a close constitutional question and the Chair does not pretend to pass upon the constitutionality of it.

Mr. McKeown.—The existing law provides for the election of the county judge and defines his duties. This bill adds additional duties to the office of the county judge other than those which are provided for in existing law, and there is no mention of that in this bill.

Mr. Speaker.—The Chair does not presume that the matter of increasing or decreasing the powers of the county judge would be a matter under consideration. Simply the question is whether from a constitutional standpoint the title of this bill is correct under the provisions of section 16, article 3, of the Constitution. It may be a close question. The Chair is satisfied that the title of the bill was drawn, with a brief reference, although not referring in full to what the act does, and we will hold that the point of order does not lodge well against the bill.

Mr. Palmer.—I am somewhat surprised at the sudden reversal of decision. I desire to say this. If it is proposed to accomplish what this bill does by a title like this the result will be the same, in my judgment, as was the result with reference to the Troy bill. I ask any man, under the provisions of the Constitution and decision, to say whether or not a body of men is protected in reading this title. This title is to amend chapter 202 of the Laws of 1897, entitled—now, simply to amend that—to amend what? To amend the act authorizing the board of supervisors of Oneida county to designate a board of equalization in and for the county and defining the powers and duties in relation to the appointment and so on. This simply amends and does not take away the powers of the supervisors as indicated in the title. A man reading this would be led to believe that you simply amended

the act giving them power, they retaining the power and defining their duties, not within the Constitution that you are going to repeal that part of it. Not even a suggestion that you are going to take away that power; not even an intimation that you are going to lodge it somewhere else. So that a person reading this would be led to believe that the board of supervisors were still to appoint and their method of procedure simply was amended. And if this objection does not lodge against the title of this act no such question ever could be raised upon this floor, or in the courts, where it could be sustained. But if the Chair has read the decision with reference to the Troy bill you will find that this is the provision to be had under it and could not stand the tests of a decision in the Court of Appeals or any of the intermediate courts in this State, because every court decides the same with reference to that subject. What I mean to say is that there is not even a suggestion in the title that the power is to be taken from the board of supervisors.

Mr. Speaker.—Mr. Palmer, section 16 of the Constitution simply provides that no local bill—referring to private and local bills—“shall embrace more than one subject and that shall be expressed in the title.” Well, now, this title refers to the question of the appointment of the board of equalization. And if that is a matter to be passed upon by the Court of Appeals, the gentlemen who are interested in this legislation, if they desire to correct their title—but the Chair, under the circumstances, will hold that there is a brief reference to the title. And if it is a question of constitutionality raised, it is a matter for the courts to determine. A brief reference to what it does, but not how it is done. We have always been liberal in construing reference so far as titles are concerned.

Mr. Palmer.—I know the courts have been equally fair in telling us what we ought to do. Now if this is not a title to a bill against which objection can be made I never saw one drawn. Why the only object of touching on this provision is to lead a man in reading the title to the bill, and he can get from it what is accomplished in it, a suggestion of what is accomplished. And

this is that you are simply amending the law which stills goes on. If you only amend the law it still goes to the board of supervisors, and if there was an amendment you amend that law. Now it is very simple to say in the title of a bill in relation to the board of equalization of the county, and permitting or allowing, or directing—any of those words—the county judge to make the appointment. Then there is a suggestion at least, not of the whole text of the bill in the title, but to suggest—I ask any man here, whether he be a lawyer or not, if you have read the title to that bill, if you would not think it was still the province of the board of supervisors to make the appointment?

The Chair.—Mr. Palmer, from the references called to the attention of the gentleman from Schoharie, the references which are made in the footnotes on page 189, referring to several charters, referring to several titles, one of the titles given is to amend the several acts with relation to the city of Rochester; it is held that that is sufficient, so far as reference is concerned, and been so held by the courts.

Mr. Palmer.—I concede that with reference to a large city the courts make that distinction.

Mr. Speaker.—They have made that decision. It seems to me that that is even broader than this decision is. They do not say how it amends the charter of the city of Rochester; simply says, "An act to amend the charter of the city of Rochester;" does not say in what respect.

Mr. Palmer.—Mr. Speaker, the courts have held that sufficient with reference to a charter. But this is an act, it is not amending the charter. It is taking up a subdivision to work in a county and the courts never have held that sufficient. They say, why should there have been in the original act the act authorizing the board of supervisors in the county of Oneida to designate. Why not say an act to regulate procedure in said county? It is for that reason that I make this point.

Mr. Speaker.—Mr. Palmer, do you not think it is sufficiently explanatory when it says, "In relation to the appointment of a board of equalization for the county of Oneida, defining its pow-

ers and duties?" You have not to say by whom they are to be appointed.

Mr. Palmer.—Mr. Speaker, I propound this question in all seriousness, and I may be wrong and I cannot understand the English language; but there is a difference between an amendment and repeal; that we know. Now this is an act, they say, to amend an act; now why do they say to amend and not repeal, not change the appointive power, but amend an act authorizing the board of supervisors in the county of Oneida to designate a board of equalization, and so forth. Now they do not say, we take away from that body the appointive power. They do not say they are going to change at all, but they are going to amend and that gave them the power, so that if the reference thereunder was they are going to amend the act, that gave this power and continue the power. Under the suggestion that you are going to put that out of its hand, and under the intimation that you are going to put in their stead the county judge; that amendment takes the power away entirely; and from the title you couldn't tell anything about what it was.

Mr. Speaker.—Nor you couldn't tell, Mr. Palmer, that they were not going to—that the power and action was not going to be entirely changed. It does not say that it lodges power with the board allowed to appoint the former board of equalization, nor that it does not change it. It simply says with reference to appointment. The Chair does not desire to call the attention of the gentleman from Schoharie to all the suggestions which are made in these footnotes, but there are several bearing upon this question. And the opinion of the Chair is that the courts have been rather liberal in its construction. On page 94, the last paragraph there, or the last subdivision, Mr. Palmer, with reference to the title, it says the title need not disclose the character of the proposed legislation, its full object and purport, or make known the several interests which may be affected by it. The Legislature is not subject to judicial control in respect to the form or mode in which the subject of the bill shall be expressed, provided it is expressed. It seems to me that that covers the situation, Mr. Palmer. The Chair will have to hold that the

bill is properly on the calendar. The Chair tries to be fair about it, Mr. Palmer. You have the right of appeal always. If this House believes that the decision of the Chair is not a fair one it may be reversed.

Mr. Fish in the chair.

Mr. Evans moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Allen F E	Coon	Hartman	Patton	Smith J T
Allen J G	Cotton	Hooper	Pendry	Smith R H
Anderson	Coutant	Hornidge	Perry	Stanley
Apgar	Cowan	Hurd	Phillips	Steele
Bass	Cox	Knapp	Plank	Stevens
Bedell	Dale	La Fetra	Pratt	Sullivan
Beebe	Donovan	La Rue	Prince	Tenjest
Beihlf	Dowling	Leggett	Quinn	Thompson G F
Bird	Ellis	Lewis	Reilly	Thonet
Brady	Evans	Machacek	Rogers	Wade
Brooks	Fish	Maier	Rosenstein	Wagner
Burnett	Fitzsimons	Malloy	Salomon	Wadsworth
Burns	Foster	Mathews T F	Sammon	Wainwright
Burzynski	Freidel	Matthews C R	Santee	West
Byrne	Fuller	Mead	Scovill	Wemple
Cadin	Gardner	Monroe	Shanahan	Whitney G H
Cahn	Gates	Moreland	Sheldon	Wiegand
Callahan	Grady	Murphy	Sherry	Wilsnack
Carrier	Grattan	Newton	Shuttleworth	Wilson
Caughlan	Hackett	Nugent	Slocum	Wolf
Charles E E	Hammond	Ogden	Smith A P	Wood F C
Charles W B	Hanford	Palmer	Smith A E	Wood F X
Cooke	Hapeman	Parker	Smith J E	Yale

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Mr. Evans moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate was had on said bill, when

Mr. Rogers moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 83

NOES 35

Those who voted in the affirmative were:

Allen F E	Coutant	Hooper	Parker	Steele
Allen J G	Cowan	Hurd	Patton	Stevens
Apgar	Cox	Knapp	Pendry	Tenjost
Bass	Cunningham	La Rue	Perry	Thompson G F
Bedell	Dowling	Leggett	Phillips	Thonet
Beihlf	Evans	Lewis	Pratt	Wade
Bisland	Fish	Maier	Prentice	Wadsworth
Brady	Foster	Malloy	Rogers	Wainwright
Brooks	Freidel	Matthews C R	Santee	Wemple
Burnett	Gardner	Mead	Scovill	Whitney F G
Cadin	Gates	Merritt	Sheldon	Whitney G H
Callahan	Grattan	Monroe	Shuttleworth	Wilsnack
Carrier	Hammond	Moreland	Slocum	Wilson
Charles E E	Hanford	Murphy	Smith J E	Wood F C
Charles W B	Hapeman	Newton	Smith J T	Wood F X
Coon	Hartman	Ogden	Stanley	Yale
Cotton	Hastings	O'Neill		

Those who voted in the negative were:

Anderson	Donovan	La Fetra	Prince	Smith A E
Bird	Ellis	Malloy	Quinn	Smith R H
Burzynski	Fitzsimons	Mathews T F	Rosenstein	Tompkins
Byrne	Fuller	McKeown	Salomon	Wagner
Cahn	Grady	McManus	Sammon	Wedemeyer
Caughtlan	Gurnett	Palmer	Shanahan	Wiegand
Cooke	Hackett	Plank	Sherry	Wolf

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker in the chair.

The bill (No. 1765) entitled "An act to regulate the awarding of and the assignment and subletting of contracts for public work" (Int. No. 884), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hooper	Patton	Smith J T
Allen F E	Dodd	Hornidge	Pendry	Smith R H
Allen J G	Donovan	Hubbs	Perry	Standart

Apgar	Dowling	Hurd	Phillips	Steele
Becker	Ellis	Kavanaugh	Plank	Sullivan
Bedell	Etzel	Knapp	Platt	Tenjust
Beihlf	Evans	La Rue	Pratt	Thompson G F
Bird	Everett	Leggett	Prince	Thonet
Brady	Fish	Machacek	Quinn	Tompkins
Brooks	Fitzsimons	Malloy	Reeve	Waddell
Burnett	Foelker	Mathews T F	Reilly	Wade
Burns	Foster	Matthews C R	Rigby	Wagner
Burzynski	Francisco	McKeown	Rogers	Wadsworth
Byrne	Freidel	McManus	Rosenstein	Wainwright
Cadin	Fuller	Mead	Salomon	Wedemeyer
Cahn	Gardner	Merritt	Santee	West
Callahan	Gates	Miller	Schoeneck	Wemple
Carrier	Grady	Monroe	Scovill	Whitney F G
Charles E E	Grattan	Moreland	Shanahan	Wiegand
Charles W B	Gray	Murphy	Sheehy	Wilsnack
Cooke	Gurnett	Newton	Sheldon	Wilson
Coon	Hackett	Nugent	Sherry	Wolf
Cotton	Hammond	Ogden	Shuttleworth	Wood F C
Coutant	Hanford	O'Neill	Smith A P	Wood F X
Cowan	Hapeman	Palmer	Smith A E	Yale
Cox	Hartman	Parker	Smith J E	Young
Cunningham	Hooker			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1758) entitled "An act to amend chapter 531 of the Laws of 1884, entitled 'An act in relation to the office of the register of the city and county of New York,' relative to for filing papers" (Int. No. 972), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 148

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjust
Bedell	Etzel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thompson J A
Beihlf	Everett	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins

Bisland	Fitzsimons	Maier	Rigby	Waddell
Brady	Foelker	Malloy	Rogers	Wade
Brooks	Foster	Mathews T F	Rosenstein	Wagner
Burnett	Francisco	Matthews C R	Salomon	Wadsworth
Burns	Freidel	McKeown	Sammon	Wainwright
Burzynski	Fuller	McManus	Santee	Wedemeyer
Byrne	Gardner	Mead	Schoeneck	West
Cadin	Gates	Merritt	Scovill	Wemple
Cahn	Grady	Miller	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young
Cowan	Hooker	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1755) entitled "An act to amend the Village Law, in relation to the powers of the board of trustees as fence viewers" (Int. No. 577), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hubbs	Plank	Standart
Allen F E	Cunningham	Hurd	Platt	Stanley
Anderson	Dale	Knapp	Pratt	Steele
Apgar	Dodd	La Fetra	Prentice	Stevens
Bass	Donovan	La Rue	Prince	Sullivan
Becker	Dowling	Leggett	Quinn	Tenjest
Beebe	Ellis	Lewis	Reeve	Thompson G F
Beihilf	Etzel	Machacek	Reilly	Thompson J A
Bird	Everett	Malloy	Rigby	Thonet
Bisland	Fish	Mathews T F	Rogers	Waddell
Brady	Fitzsimons	Matthews C R	Rosenstein	Wade
Brooks	Foelker	McKeown	Salomon	Wagner
Burnett	Foster	McManus	Sammon	Wadsworth
Burns	Francisco	Mead	Santee	Wainwright
Burzynski	Fuller	Merritt	Schoeneck	Wedemeyer
Byrne	Gardner	Miller	Scovill	West

Cadin	Gates	Monroe	Shanahan	Wemple
Cahn	Grady	Moreland	Sheehy	Whitney F G
Carrier	Gray	Newton	Sheldon	Whitney G H
Callahan	Gurnett	Ogden	Sherry	Wiegand
Caughlan	Hackett	O'Neill	Shuttleworth	Wilsnack
Charles W B	Hammond	Palmer	Slocum	Wilson
Cooke	Hanford	Parker	Smith A P	Wood F C
Coon	Hapeman	Patton	Smith A E	Wood F X
Cotton	Hooker	Pendry	Smith J T	Yale
Coutant	Hooper	Perry	Smith R H	Young
Cowan	Hornidge	Phillips		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1770) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues approaching the bridge over the Gowanus canal at Hamilton avenue, borough of Brooklyn, in the city of New York" (Int. No. 425), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 146

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Parker	Smith J E
Allen F E	Cunningham	Hooper	Patton	Smith J T
Allen J G	Dale	Hornidge	Pendry	Smith R H
Anderson	Dodd	Hubbs	Perry	Standart
Apgar	Donovan	Hurd	Phillips	Stanley
Bass	Dowling	Kavanaugh	Plank	Steele
Becker	Ellis	Knapp	Platt	Stevens
Bedell	Etzel	La Fetra	Pratt	Tenjust
Beebe	Evans	La Rue	Prentice	Thompson G F
Beihlif	Everett	Leggett	Prince	Thompson J A
Bird	Fish	Lewis	Quinn	Thonet
Bisland	Fitzsimons	Machacek	Reeve	Waddell
Brady	Foelker	Maier	Reilly	Wade
Brooks	Foster	Malloy	Rigby	Wagner
Burnett	Francisco	Mathews T F	Rogers	Wadsworth
Burns	Freidel	Mathews C R	Rosenstein	Wainwright
Burzynski	Fuller	McKeown	Salomon	Wedemeyer
Byrne	Gardner	McManus	Sammon	West
Cadin	Gates	Mead	Santee	Wemple

Cahn	Grady	Merritt	Schoeneck	Whitney F G
Callahan	Grattan	Miller	Scovill	Whitney G H
Carrier	Gray	Monroe	Shanahan	Wiegand
Caughlan	Gurnett	Moreland	Sheehy	Wilsnack
Charles E E	Hackett	Murphy	Sheldon	Wilson
Charles W B	Hammond	Newton	Sherry	Wolf
Cooke	Hanford	Nugent	Shuttleworth	Wood F C
Coon	Hapeman	Ogden	Slocum	Wood F X
Cotton	Hartman	O'Neill	Smith A P	Yale
Coutant	Hastings	Palmer	Smith A E	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1759) entitled "An act to amend the Insanity Law, relating to the management of State hospitals, abolishing the boards of visitation and creating boards of managers therefor, and defining the powers and duties of the boards of managers and of the State Commission in Lunacy" (Int. No. 496), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1757) entitled "An act to amend the Greater New York charter, in relation to the appointment of deputy tax commissioners among the boroughs" (Int. No. 1183), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Pendry	Smith R H
Allen F E	Cox	Hooper	Perry	Standart
Allen J G	Cunningham	Hornidge	Phillips	Stanley
Anderson	Dale	Hubbs	Plank	Steele
Apgar	Dodd	Hurd	Platt	Stevens
Bass	Donovan	Kavanaugh	Pratt	Sullivan
Becker	Dowling	La Fetra	Prentice	Tenjust

Bedell	Ellis	La Rue	Prince	Thompson J A
Beebe	Etzel	Lewis	Quinn	Thonet
Beihlf	Evans	Machacek	Reeve	Tompkins
Bird	Everett	Maier	Reilly	Waddell
Bisland	Fish	Malloy	Rigby	Wade
Brady	Fitzsimons	Mathews T F	Rosenstein	Wagner
Brooks	Foelker	Matthews C R	Salomon	Wadsworth
Burnett	Foster	McKeown	Sammon	Wainwright
Burns	Francisco	Mead	Santee	Wedemeyer
Burzynski	Freidel	Merritt	Schoeneck	West
Byrne	Fuller	Miller	Shanahan	Wemple
Cadin	Gates	Monroe	Sheehy	Whitney F G
Cahn	Grady	Moreland	Sheldon	Whitney G H
Callahan	Grattan	Murphy	Sherry	Wiegand
Carrier	Gray	Newton	Shuttleworth	Wilsnack
Caughlan	Gurnett	Nugent	Slocum	Wilson
Charles E E	Hackett	Ogden	Smith A P	Wolf
Charles W B	Hammond	O'Neill	Smith A E	Wood F X
Cooke	Hanford	Palmer	Smith J E	Yale
Coon	Hapeman	Patton	Smith J T	Young
Cotton	Hartman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1740) entitled "An act to amend the Code of Civil Procedure, relating to actions for partition" (Int. No. 943), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1769) entitled "An act to amend the Penal Code, relative to life saving crews on ferry boats and excursion boats" (Int. No. 562), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 147

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Pendry	Smith R H
Allen F E	Dale	Hubbs	Perry	Standart
Allen J G	Dodd	Hurd	Phillips	Stanley
Anderson	Donovan	Kavanaugh	Plank	Steele
Appar	Dowling	Knapp	Platt	Stevens

Bass	Ellis	La Fetra	Pratt	Sullivan
Becker	Etzel	La Rue	Prentice	Tenjest
Bedell	Evans	Leggett	Prince	Thompson G F
Beebe	Everett	Lewis	Quinn	Thompson J A
Beihlf	Fish	Machacek	Reeve	Thonet
Bird	Fitzsimons	Maier	Reilly	Tompkins
Bisland	Foelker	Malloy	Rigby	Waddell
Brady	Foster	Mathews T F	Rogers	Wade
Brooks	Francisco	Matthews C R	Rosenstein	Wagner
Burnett	Freidel	McKeown	Salomon	Wadsworth
Burns	Fuller	McManus	Sammon	Wainwright
Burzynski	Gardner	Mead	Santee	Wedemeyer
Byrne	Gates	Merritt	Schoeneck	West
Cadin	Grady	Miller	Scovill	Wemple
Callahan	Grattan	Monroe	Shanahan	Whitney F G
Carrier	Gray	Moreland	Sheehy	Whitney G H
Caughlan	Gurnett	Murphy	Sheldon	Wiegand
Charles E E	Hackett	Newton	Sherry	Wilsnack
Charles W B	Hammond	Nugent	Shuttleworth	Wilson
Cooke	Hanford	Ogden	Slocum	Wolf
Coon	Hapeman	O'Neill	Smith A P	Wood F C
Cotton	Hartman	Palmer	Smith A E	Wood F X
Coutant	Hastings	Parker	Smith J E	Yale
Cowan	Hooker	Patton	Smith J T	Young
Cox	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 529) entitled "An act to amend the Election Law, by providing for a special registration of electors absent from the State" (Int. No. 488), having been announced for a third reading.

Mr. Cox moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Page 2, line 4, strike out the word "board" and insert the word "commissioner."

Same page, line 12, strike out the first word "board" and insert the word "commissioner."

Same page, line 17, strike out the word "board" and insert the word "commissioner."

Same page, line 25, strike out the word "board" and insert the word "commissioner."

Page 3, line 2, strike out the word "board" and insert the word "commissioner."

Same page, line 10, strike out the word "board" and insert the word "commissioner."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 713) entitled "An act to amend the Municipal Court Act of the city of New York, relative to the jurisdiction of such court" (Int. No. 633), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Perry	Standart
Allen F E	Cox	Hooper	Phillips	Stanley
Allen J G	Cunningham	Hornidge	Plank	Steele
Anderson	Dale	Hubbs	Platt	Stevens
Apgar	Dodd	Hurd	Pratt	Sullivan
Bass	Donovan	Kavanaugh	Prentice	Tenjost
Becker	Dowling	La Fetra	Prince	Thompson G F
Bedell	Ellis	La Rue	Quinn	Thompson J A
Beebe	Etzel	Leggett	Reeve	Thonet
Beihlf	Evans	Machacek	Reilly	Tompkins
Bird	Everett	Maier	Rigby	Waddell
Bisland	Fish	Malloy	Rogers	Wade
Brady	Fitzsimons	Mathews T F	Rosenstein	Wagner
Brooks	Foelker	Matthews C R	Salomon	Wadsworth
Burnett	Foster	McKeown	Sammon	Wainwright
Burns	Francisco	McManus	Santee	Wedemeyer
Burzynski	Freidel	Mead	Schoeneck	West
Byrne	Fuller	Merritt	Shanahan	Wemple
Cadin	Gardner	Miller	Sheehy	Whitney F G
Cahn	Gates	Monroe	Sheldon	Whitney G H
Callahan	Grady	Moreland	Sherry	Wiegand
Carrier	Grattan	Murphy	Shuttleworth	Wilsnack
Caughlan	Gray	Nugent	Slocum	Wilson
Charles E E	Gurnett	Ogden	Smith A P	Wolf
Charles W B	Hackett	O'Neill	Smith A E	Wood F C
Cooke	Hanford	Palmer	Smith J E	Wood F X
Coon	Hapeman	Parker	Smith J T	Yale
Cotton	Hartman	Patton	Smith R H	Young
Coutant	Hastings	Pendry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 968) entitled "An act to provide for the payment of the claim of James R. F. Kelly and William D. Kelley, against the city of New York, for work and labor done and services rendered and materials furnished for a sewer on East Two Hundred and Fourth street, in said city" (Int. No. 826), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hapeman	Palmer	Smith J T
Allen F E	Cowan	Hartman	Parker	Smith R H
Allen J G	Cox	Hastings	Pendry	Standart
Anderson	Cunningham	Hooker	Perry	Stanley
Apgar	Dale	Hornidge	Plank	Steele
Bass	Dodd	Hubbs	Platt	Stevens
Becker	Donovan	Hurd	Pratt	Sullivan
Bedell	Dowling	Kavanaugh	Prentice	Thompson G F
Beebe	Ellis	Knapp	Prince	Thompson J A
Beihlf	Etzel	La Fetra	Quinn	Thonet
Bird	Evans	Leggett	Reeve	Tompkins
Bisland	Everett	Machacek	Reilly	Waddell
Brady	Fitzsimons	Maier	Rigby	Wagner
Brooks	Foelker	Malloy	Rogers	Wadsworth
Burnett	Foster	Mathews T F	Salomon	Wainwright
Burns	Francisco	Matthews C R	Sammon	Wedemeyer
Burzynski	Freidel	McKeown	Santee	Wemple
Byrne	Fuller	McManus	Schoeneck	Whitney F G
Cadin	Gardner	Merritt	Scovill	Wiegand
Cahn	Gates	Miller	Shanahan	Wilsnack
Callahan	Grady	Monroe	Sheehy	Wilson
Carrier	Grattan	Moreland	Sheldon	Wolf
Caughlan	Gray	Murphy	Shuttleworth	Wood F C
Charles E E	Gurnett	Newton	Slocum	Wood F X
Charles W B	Hackett	Ogden	Smith A E	Yale
Cooke	Hammond	O'Neill	Smith J E	Young
Cotton	Hanford			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1702) entitled "An act to amend the Forest, Fish and Game Law, in relation to herring nets in Hudson and Dela-

ware rivers and adjacent waters" (Int. No. 1295), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hurd	Phillips	Smith R H
Allen F E	Dodd	Kavanaugh	Plank	Standart
Allen J G	Donovan	Knapp	Platt	Stanley
Anderson	Dowling	La Fetra	Pratt	Steele
Bass	Ellis	Leggett	Prentice	Stevens
Becker	Evans	Lewis	Prince	Sullivan
Bedell	Everett	Maier	Quinn	Thompson G F
Beebe	Fish	Malloy	Reeve	Thompson J A
Beihlf	Fitzsimons	Mathews T F	Reilly	Thonet
Bird	Foelker	Matthews C R	Rigby	Tompkins
Brady	Foster	McKeown	Rogers	Waddell
Brooks	Francisco	McManus	Rosenstein	Wagner
Burnett	Freidel	Mead	Salomon	Wadsworth
Burns	Fuller	Merritt	Sammon	Wainwright
Burzynski	Gardner	Miller	Santee	Wedemeyer
Cadin	Gates	Monroe	Schoeneck	West
Cahn	Grady	Moreland	Seovill	Wemple
Carrier	Grattan	Murphy	Shanahan	Whitney F G
Caughlan	Gray	Newton	Sheehy	Whitney G H
Charles E E	Hackett	Nugent	Sheldon	Wiegand
Charles W R	Hammond	Ogden	Sherry	Wilsnack
Cooke	Hanford	O'Neill	Shuttleworth	Wilson
Coon	Hapeman	Palmer	Slocum	Wolf
Cotton	Hartman	Parker	Smith A P	Wood F C
Coutant	Hastings	Patton	Smith A E	Wood F X
Cowan	Hooker	Pendry	Smith J E	Yale
Cox	Hooper	Perry	Smith J T	Young
Cunningham	Hornidge			

Ordered. That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1451) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department,' relative to the appointment of an additional assistant clerk" (Int. No. 1165), was read the third time, having been printed and upon the desks of the mem-

bers in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Pendry	Smith R H
Allen F E	Cunningham	Hubbs	Perry	Standart
Allen J G	Dale	Hurd	Phillips	Stanley
Anderson	Dodd	Kavanaugh	Plank	Steele
Apgar	Donovan	Knapp	Platt	Stevens
Bass	Dowling	La Fetra	Pratt	Sullivan
Becker	Ellis	La Rue	Prentice	Tenjost
Bedell	Etsel	Leggett	Prince	Thompson G F
Beebe	Evans	Lewis	Quinn	Thompson J A
Beihilf	Everett	Maier	Reeve	Thonet
Bird	Fish	Malloy	Reilly	Tompkins
Bisland	Foelker	Mathews T F	Rigby	Waddell
Brady	Foster	Mathews C R	Rosenstein	Wade
Burnett	Francisco	McKeown	Salomon	Wagner
Burns	Freidel	McManus	Sammon	Wadsworth
Byrne	Fuller	Mead	Santee	Wainwright
Cadin	Gardner	Merritt	Schoeneck	Wedemeyer
Cahn	Grady	Miller	Scovill	Wemple
Callahan	Grattan	Monroe	Shanahan	Whitney F G
Carrier	Gray	Moreland	Sheehy	Whitney G H
Caughlan	Gurnett	Murphy	Sheldon	Wiegand
Charles E E	Hackett	Newton	Sherry	Wilsnack
Charles W B	Hammond	Ogden	Slocum	Wilson
Cooke	Hanford	O'Neill	Smith A P	Wolf
Coon	Hapeman	Palmer	Smith A E	Wood F C
Cotton	Hastings	Parker	Smith J E	Yale
Coutant	Hooker	Patton	Smith J T	Young
Cowan	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1764) entitled "An act to amend the Code of Civil Procedure, relative to the execution of warrants for the dis-possession of tenants" (Int. No. 579), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 138

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Perry	Stanley
Allen F E	Cowan	Hooper	Phillips	Steele
Allen J G	Cox	Hubbs	Plank	Stevens
Anderson	Dale	Hurd	Pratt	Sullivan
Apgar	Dodd	Kavanaugh	Prentice	Tenjost
Bass	Donovan	Knapp	Prince	Thompson G F
Becker	Dowling	La Rue	Quinn	Thompson J A
Bedell	Ellis	Leggett	Reeve	Thonet
Beebe	Etzel	Lewis	Reilly	Tompkins
Beihilf	Evans	Maier	Rigby	Waddell
Bird	Everett	Malloy	Rogers	Wade
Bisland	Fish	Mathews T F	Rosenstein	Wagner
Brady	Fitzsimons	Matthews C R	Salomon	Wadsworth
Brooks	Foelker	McKeown	Santee	Wainwright
Burnett	Francisco	McManus	Schoeneck	Wedemeyer
Burns	Freidel	Mead	Scovill	West
Burzynski	Fuller	Merritt	Shanahan	Wemple
Byrne	Gardner	Miller	Sheehy	Whitney F G
Cadin	Gates	Monroe	Sheldon	Whitney G H
Cahn	Grattan	Moreland	Sherry	Wiegand
Callahan	Gray	Murphy	Shuttleworth	Wilsnack
Carrier	Gurnett	Nugent	Slocum	Wilson
Caughlan	Hackett	Ogden	Smith A P	Wolf
Charles E E	Hammond	O'Neill	Smith J E	Wood F C
Charles W B	Hanford	Palmer	Smith J T	Wood F X
Cooke	Hapeman	Parker	Smith R H	Yale
Coon	Hartman	Patton	Standart	Young
Cotton	Hastings	Pendry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1548) entitled "An act to amend the Agricultural Law, in relation to the collection and dissemination of agricultural statistics" (Int. No. 1210), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hubbs	Pendry	Smith R H
Allen J G	Cunningham	Hurd	Perry	Standart
Anderson	Dale	Knapp	Phillips	Steele
Appar	Donovan	La Fetra	Plank	Stevens
Bass	Dowling	La Rue	Platt	Sullivan
Becker	Ellis	Leggett	Pratt	Tenjest
Bedell	Etzel	Lewis	Prentice	Thompson G F
Beebe	Evans	Machacek	Prince	Thompson J A
Beihlf	Everett	Maier	Quinn	Thonet
Bird	Fish	Malloy	Reilly	Tompkins
Bisland	Fitzsimons	Mathews T F	Rigby	Wade
Brooks	Foelker	Matthews C R	Rogers	Wagner
Burnett	Foster	McKeown	Rosenstein	Wadsworth
Burns	Francisco	McManus	Salomon	Wainwright
Burzynski	Freidel	Mead	Sammon	Wedemeyer
Byrne	Fuller	Merritt	Santee	West
Cadin	Gardner	Monroe	Scovill	Whitney F G
Cahn	Gates	Moreland	Shanahan	Whitney G H
Callahan	Grady	Murphy	Sheehy	Wiegand
Carrier	Gurnett	Newton	Sheldon	Wilsnack
Caughlan	Hammond	Nugent	Sherry	Wilson
Charles E E	Hanford	Ogden	Shuttleworth	Wolf
Charles W B	Hartman	O'Neill	Smith A P	Wood F C
Coon	Hastings	Palmer	Smith A E	Wood F X
Cotton	Hooker	Parker	Smith J E	Yale
Coutant	Hornidge	Patton	Smith J T	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 650) entitled "An act to amend chapter 723 of the Laws of 1895, entitled 'An act in relation to religious corporations, constituting chapter 42 of the general laws,' relative to obtaining title to property of an extinct church, parish or religious society" (Rec. No. 142), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hastings	Parker	Stanley J
Allen F E	Cunningham	Hooker	Patton	Steele
Allen J G	Dale	Hooper	Pendry	Stevens
Apgar	Dodd	Hornidge	Perry	Sullivan
Bass	Donovan	Hubbs	Phillips	Tenjust
Becker	Dowling	Hurd	Plank	Thompson F G
Bedell	Ellis	Kavanaugh	Platt	Thompson J A
Beebe	Etzel	La Fetra	Pratt	Thonet
Beihlf .	Evans	La Rue	Prince	Tompkins
Bird	Everett	Leggett	Quinn	Waddell
Bisland	Fish	Lewis	Reeve	Wade
Brady	Fitzsimons	McKeown	Reilly	Wagner
Burnett	Foelker	Maier	Rigby	Wadsworth
Burns	Foster	Malloy	Rogers	Wainwright
Burzynski	Francisco	Mathews T F	Rosenstein	Wedemeyer
Byrne	Freidel	Matthews C R	Sammon	West
Cadin	Fuller	McKeown	Santee	Wemple
Cahn	Gardner	McManus	Schoeneck	Whitney F G
Callahan	Gates	Mead	Scovill	Whitney G H
Carrier	Grady	Miller	Sheehy	Wiegand
Caughlan	Grattan	Monroe	Sheldon	Wilsnack
Charles E E	Gray	Moreland	Sherry	Wilson
Charles W B	Gurnett	Murphy	Slocum	Wolf
Cooke	Hackett	Newton	Smith A E	Wood F C
Coon	Hammond	Nugent	Smith J E	Wood F X
Cotton	Hanford	Ogden	Smith J T	Yale
Coutant	Hapeman	O'Neill	Smith R H	Young
Cowan	Hartman	Palmer	Standart	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 905) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the compensation of the commissioner of public works of such city" (Rec. No. 207), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooper	O'Neill	Smith R H
Allen F E	Dale	Hornidge	Palmer	Standart
Allen J G	Dodd	Hubbs	Parker	Stanley
Anderson	Donovan	Hurd	Patton	Steele
Bass	Ellis	Kavanaugh	Pendry	Stevens
Becker	Etzel	Knapp	Perry	Sullivan
Bedell	Evans	La Fetra	Phillips	Thompson G F
Beebe	Fish	Leggett	Plank	Thonet
Beihilf	Fitzsimons	Lewis	Platt	Tompkins
Bisland	Foelker	Machacek	Prentice	Waddell
Brady	Foster	Maier	Prince	Wade
Brooks	Francisco	Malloy	Reeve	Wagner
Burnett	Freidel	Mathews T F	Reilly	Wadsworth
Burns	Fuller	Matthews C R	Rogers	Wainwright
Byrne	Gates	McKeown	Rosenstein	Wedemeyer
Cadin	Grady	McManus	Salomon	Wemple
Callahan	Grattan	Mead	Santee	Whitney F G
Carrier	Gray	Merritt	Schoeneck	Whitney G H
Charles E E	Gurnett	Miller	Shanahan	Wilsnack
Charles W B	Hackett	Monroe	Sheldon	Wilson
Cooke	Hammond	Moreland	Shuttleworth	Wood F C
Cotton	Hanford	Murphy	Smith A P	Wood F X
Coutant	Hapeman	Newton	Smith A E	Yale
Cowan	Hartman	Nugent	Smith J E	Young
Cox	Hastings	Ogden		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1747) entitled "An act relating to the acquisition of property by the city of New York for a water supply, and providing for prompt payment therefor, and for damages occasioned by the acquisition thereof; providing for use and care of reservoirs owned by said city; and providing for the construction and maintenance of highways and bridges" (Int. No. 1318), having been announced for a second reading,

On motion of Mr. Apgar and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1704) entitled "An act to provide for the compensation of the transcribers or copyists of old or mutilated records in the office of the clerk of the county of Kings" (Int. No. 1297), was read the second time.

On motion of Mr. Foelker said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1237) entitled "An act to amend the Greater New York charter relative to the police department of the city of New York" (Int. No. 1042), was read the second time.

On motion of Mr. O'Neill said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1868) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1373), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1834) entitled "An act to amend sections 2358 and 2361 of the Code of Civil Procedure, in relation to the sale, mortgaging or leasing of the contingent interest of infants not in being in real property" (Int. No. 1184), was read the second time.

On motion of Mr. La Rue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1839) entitled "An act to amend the Stock Corporations Law in relation to the sale of franchises and property of corporations in towns, villages and cities of the third class" (Int. No. 1157), was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1840) entitled "An act to amend the Forest, Fish and Game Law, relating to trout fishing in the county of Allegany" (Int. No. 466), was read the second time.

On motion of Mr. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1841) entitled "An act to amend the Banking Law, relative to loans upon the second or divided mortgage plan" (Int. No. 479), was read the second time.

On motion of Mr. T. F. Mathews, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1842) entitled "An act to amend the Banking Law, relative to security for loans made by cooperative savings and loan associations" (Int. No. 547), was read the second time.

On motion of Mr. Plank, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1843) entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of the Court of Claims" (Int. No. 682), was read the second time.

On motion of Mr. Cox, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1844) entitled "An act to amend the Public Health Law, relative to the manufacture and sale of patent or proprietary medicines" (Int. No. 159), was read the second time.

On motion of Mr. Platt, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 545, Assembly reprint No. 1845) entitled "An act to amend chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations'" (Rec. No. 113), was read the second time.

On motion of Mr. Lewis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1790) entitled "An act to amend article 9 of chapter 20 of the Laws of 1900, by adding thereto section 176-a, 176-b, 176-c, and 176-d, which added sections shall provide as follows" (Int. No. 778), was read the second time.

On motion of Mr. Becker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1791) entitled "An act to encourage the formation of companies to supply Pasteurized or clarified milk and cream and pure dairy products and to exempt the same from the provisions of section 1 and 2 of chapter 290 of the Laws of 1899, and section 7 of the Stock Corporations Law" (Int. No. 1022), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1792) entitled "An act to amend the Stock Corporations Law, in relation to annual reports of corporations" (Int. No. 280), was read the second time.

On motion of Mr. Dodd, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1794), entitled "An act to amend the Agricultural Law, in relation to the prevention of disease in fruit trees, and the pests that infest the same" (Int. No. 1163), was read the second time.

On motion of Mr. Wilson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1795) entitled "An act to amend chapter 109 of the Laws of 1894, in relation to the salary and compensation of the county judge and surrogate of Niagara county" (Int. No. 1223), was read the second time.

On motion of Mr. G. F. Thompson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1796) entitled "An act to amend the Forest, Fish and Game Law, relative to appointing additional protectors" (Int. No. 737), was read the second time.

On motion of Mr. Santee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1838) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William E. Carney, as executor of the last will and testament of Michael Carney, deceased, for damages against the State, alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1247), was read the second time.

On motion of Mr. Scovill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1837) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Daniel O'Grady against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1080), was read the second time.

On motion of Mr. Standart, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1836) entitled "An act to amend section 4, title 10 of chapter 556, Laws of 1894, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction,' as amended by section 5 of chapter 512, Laws of 1897" (Int. No. 1270), was read the second time.

On motion of Mr. La Rue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1835) entitled "An act to establish a law library in the Fifth Judicial District to be known as the Robinson Memorial Library" (Int. No. 1235), was read the second time.

On motion of Mr. F. G. Whitney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1833) entitled "An act to amend the Code of Civil Procedure with respect to the city court of the city of New York and providing for an additional stenographer for the special term of said court" (Int. No. 1144), was read the second time.

On motion of Mr. Hornidge, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1797) entitled "An act to provide for the construction and maintenance of a sanitary trunk sewer and sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor" (Int. No. 531), was read the second time.

On motion of Mr. Rigby, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate returned the bill (No. 429, Senate reprint No. 985) entitled "An act making appropriations for the support of government" (Int. No. 419), with a message that they have concurred in the passage of the same with the following amendment:

Strike out all after the enacting clause and insert Senate bill No. 985.

Mr. Rogers moved to nonconcur in the amendment of the Senate thereto and request the appointment of a committee of

conference thereon, and that a committee of conference be appointed on the part of the Assembly.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have nonconcurred in the Senate amendment thereto, and request the appointment of a conference committee thereon.

The Senate returned the bill (No. 744, Senate reprint No. 975) entitled "An act to amend the Code of Civil Procedure, relative to serving summons upon telegraph companies" (Int. No. 422), with a message that they have concurred in the passage of the same with the following amendment:

Page 2, line 9, strike out the words "or telegraph operator."

Mr. Coman moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooper	Ogden	Smith J E
Allen F E	Dale	Hornidge	O'Neill	Smith R H
Allen J G	Dodd	Hubbs	Palmer	Standart
Anderson	Donovan	Hurd	Parker	Stanley
Bass	Ellis	Kavanaugh	Patton	Steele
Becker	Etzel	Knapp	Pendry	Stevens
Bedell	Evans	La Fetra	Perry	Sullivan
Beebe	Fish	Leggett	Phillips	Thompson G F
Beihlf	Fitzsimons	Lewis	Plank	Thonet
Bisland	Foelker	Machacek	Platt	Tompkins
Brady	Foster	Maier	Prentice	Waddell
Brooks	Francisco	Malloy	Prince	Wade
Burnett	Freidel	Mathews T F	Reeve	Wadsworth
Burns	Fuller	Matthews C R	Reilly	Wainwright
Byrne	Gates	McKeown	Rogers	Wedemeyer
Cadin	Grady	McManus	Rosenstein	Wemple
Callahan	Grattan	Mead	Salomon	Whitney F G
Carrier	Gray	Merritt	Santee	Whitney G H
Charles E E	Gurnett	Miller	Schoeneck	Wilsnack
Charles W B	Hackett	Monroe	Shanahan	Wilson

Cooke	Hammond	Moreland	Sheldon	Wood F C
Cotton	Hanford	Murphy	Shuttleworth	Wood F X
Coutant	Hapeman	Newton	Smith A P	Yale
Cowan	Hartman	Nugent	Smith A E	Young
Cox	Hastings			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

A message was received from the Senate, in words following:

IN SENATE, *April 4, 1905.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 1071, entitled "An act for the regulation of fares of electric railroads in and between the cities of Rensselaer and Albany, N. Y., and to provide for the issue of transfer tickets thereon." (Rec. No. 92.)

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Barnes, and by unanimous consent, the same was amended as follows:

In the first line of the title strike out the words "the counties," and insert the words "and between the cities."

Page 1, line 1, strike out the word "or" and insert a comma; and after the word "corporation" insert the words "or person, owning or."

Same page, line 2, after the word "railroad" insert the word "in or."

Same page, line 3, after the word "New York" insert the word "or in either of such cities, or any part of such railroad or railroads, or any connecting or intersecting or continuing branch thereof, nor any lessee, assignee, or transferee of such railroad or railroads, or any part or parts thereof, from the owner or owners operating the same as such owner or owners, lessee, assignee or transferee."

Same page, line 5, strike out the word "its" and insert the word "such;" after the word "road" insert the words "or roads;" after the word "branch" insert the words "or part thereof."

Same page, line 6, after the word "cities" insert the word "so;" after the word "leased" insert the words "controlled and;" strike out the word "or" after the word "leased," and the words "by it or under."

Same page, line 7, strike out the words "its control."

Page 2, line 1, insert the words "intersecting or continuing" before the word "branch."

Same page, line 3, strike out the words "the main line of the road," and insert the words, "such road or roads."

Same page, line 5, after the words, "such" insert the word "person."

Same page, line 6, after the word "corporation" insert the words "being the owner or owners, or lessee or assignee, and operating the same."

Same page, line 7, strike out the word "its" and insert the word "such;" after the word "road" insert the words "or roads."

Same page, line 8, after the word "owned" insert a comma and the word "assigned;" strike out the word "or" first appearing; after the word "leased" insert the words "or held and operated;" after the word "said" insert the word "person."

Same page, line 9, after the word "ticket" insert the words "entitling the holder thereof to ride;" after the word "road" insert the words "or roads or;" strike out the word "its" after the word "branch" and insert the word "or."

Same page, line 10, after the word "part" insert the word "thereof"; insert a comma after the word "owned" and after the word "leased" insert a comma and the words "assigned, held;" strike out the word "it" and insert in place thereof the words "such a person, company or corporation."

Same page, line 14, after the word "be" insert the words "punished by a"; strike out the word "fined" and insert in place thereof the word "fine" and after such word insert the word "of."

Same page, line 17, after the word "court" insert the following sentence: "And if for every refusal to comply with the requirements of this section, the company, corporation or person so refusing shall forfeit fifty dollars to the aggrieved party."

Said bill as amended was reprinted, re-engrossed and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Gardner moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Perry	Smith R H
Allen F E	Cunningham	Hornidge	Phillips	Standart
Allen J G	Dale	Hubbs	Plank	Stanley
Anderson	Dodd	Hurd	Platt	Stevens
Apgar	Donovan	Knapp	Pratt	Sullivan
Bass	Ellis	La Fetra	Prentice	Tenjest
Becker	Etzel	La Rue	Prince	Thompson G F
Bedell	Evans	Leggett	Quinn	Thonet
Beebe	Everett	Lewis	Reeve	Tompkins
Beihliff	Fish	Maier	Rigby	Waddell
Bird	Fitzsimons	Malloy	Rogers	Wade
Bisland	Foelker	Mathews T F	Rosenstein	Wagner
Brady	Foster	Matthews C R	Salomon	Wadsworth
Brooks	Francisco	McKeown	Sammon	Wainwright
Burnett	Freidel	McManus	Santee	Wedemeyer
Burns	Fuller	Mead	Schoeneck	West
Burzynski	Gardner	Merritt	Scovill	Wemple
Byrne	Gates	Monroe	Shanahan	Whitney F G
Cadin	Grady	Moreland	Sheehy	Wiegand
Cahn	Gray	Murphy	Sheldon	Wilsnack
Callahan	Gurnett	Newton	Sherry	Wilson
Caughlan	Hackett	Nugent	Shuttleworth	Wolf
Charles E E	Hammond	Ogden	Slocum	Wood F C
Charles W B	Hanford	Palmer	Smith A P	Wood F L X
Coon	Hartman	Parker	Smith A E	Yale
Cotton	Hastings	Patton	Smith J T	Young
Coutant	Hooker	Pendry		

Mr. Gardner moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hooker	Palmer	Smith J T
Allen F E	Dodd	Hooper	Parker	Smith R H
Allen J G	Donovan	Hornidge	Patton	Stanley
Anderson	Dowling	Hubbs	Perry	Stevens
Apgar	Etzel	Hurd	Phillips	Sullivan
Bass	Evans	Kavanaugh	Plank	Tenjust
Becker	Everett	Knapp	Platt	Thompson J A
Bedell	Fish	La Fetra	Pratt	Thonet
Beebe	Fitzsimons	La Rue	Prentice	Waddell
Beihlf	Foelker	Leggett	Prince	Wade
Bisland	Foster	Lewis	Quinn	Wagner
Brady	Francisco	Maier	Reeve	Wadsworth
Brooks	Freidel	Malloy	Reilly	Wainwright
Burnett	Fuller	Mathews T F	Rogers	Wedemeyer
Burns	Gardner	Matthews C R	Rosenstein	West
Byrne	Gates	McKeown	Salomon	Wemple
Cahn	Grady	McManus	Sammon	Whitney F G
Callahan	Grattan	Mead	Santee	Whitney G H
Caughlan	Gray	Merritt	Scovill	Wilsnack
Charles E E	Gurnett	Miller	Sheehy	Wilson
Cooke	Hackett	Monroe	Sheldon	Wolf
Coon	Hammond	Moreland	Sherry	Wood F C
Cotton	Hanford	Murphy	Shuttleworth	Wood F X
Cowan	Hapeman	Newton	Smith A P	Yale
Cox	Hartman	Ogden	Smith J E	Young
Cunningham	Hastings	O'Neill		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

Mr. Wainwright offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 659, entitled "An act to amend the Village Law, in relation to village elections" (Int. No. 592), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hastings offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly, of Assembly bill No. 812, entitled "An act to amend chapter 44 of the Laws of 1853, entitled 'An act for the better support of the poor in the town of Newburgh in the county of Orange,' in relation to the corporate name and terms of the commissioners of the almshouse" (Int. No. 382), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 659, entitled "An act to amend the Village Law, in relation to village elections" (Int. No. 592), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the Senate bill (No. 636, Assembly reprint No. 148) entitled "An act to amend the Code of Civil Procedure, relating to stenographers in county courts" (Rec. No. 125), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 170) entitled "An act to amend chapter 206 of the Laws of 1902, entitled 'An act in relation to the removal of the remains of deceased soldiers from potter's field and neglected or abandoned cemeteries to incorporated cemeteries which are the properly cared for and to provide for a soldiers' plot in such cemeteries and to defray the expenses of obtaining plots and for the removals and reinterment of the remains of deceased soldiers and to provide for the annual care of soldiers' plots in cemeteries,' providing for the payment of certain expenses by the county" (Int. No. 334), with a message they they have reconsidered their vote by which said bill was passed, and, as amended, have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill (No. 339, Assembly reprint No. 1638) entitled "An act to amend chapter 38 of the general laws, known as the Insurance Law, being chapter 690 of the Laws of 1892, relative to town and county cooperative corporations" (Rec. No. 108), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

Attention being called to error in printing Assembly bill No. 1622 (Int. No. 935), it was ordered that the State Printer be directed to reprint said bill.

Attention being called to error in printing Assembly bill No. 1835 (Int. No. 1235), it was ordered that the State Printer be directed to reprint said bill.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, April 4, 1905.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1047, entitled "An act to amend the Code of Criminal Procedure, relative to the persons who may be present during the sessions of a grand jury." (Int. No. 450.)

FRANK W. HIGGINS.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, April 4, 1905.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1246, entitled "An act to amend the Highway Law, relating to the cutting and removing of weeds and brush and providing for the same when the highway is the boundary line between two or more towns." (Int. No. 849.)

FRANK W. HIGGINS.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, *April 4, 1905.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 659, entitled "An act to amend the Village Law, in relation to village elections." (Int. No. 592.)

FRANK W. HIGGINS.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 361, entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments affecting property in the city of New York, and directing the comptroller to mark such assessments accordingly" (Int. No. 361), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 116, entitled "An act to amend section 664 of the Greater New York charter in relation to the powers of the commissioner of charities" (Int. No. 116), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 877, entitled "An act authorizing the comptroller of the city of New York, to hear, audit, determine and allow the alleged claim of William Booth for furnishing work, labor and materials, in grading, regulating and curbing certain highways and avenues in the town of Newtown, in the borough of Queens, city of New York, and to provide for the payment of such claim" (Int. No. 762), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 1059, entitled "An act to amend chapter 585 of the Laws of 1893, entitled 'An act to authorize the city of Brooklyn to make yearly provision for the celebration of Memorial day, including the year 1893,' relative to naval veterans" (Int. No. 447), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 1234, entitled "An act to amend chapter 718 of the Laws of 1904, entitled 'An act authorizing the selection of lands as a site for the New York State Training School for Boys, and establishing the said school,' in relation to report, and exchange of lands" (Int. No. 1024), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 419, entitled "An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments and sales to the city of New York for assessments affecting property in the city of New York, and directing the comptroller to mark such assessments accordingly" (Int. No. 387), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Rogers, the House adjourned.

WEDNESDAY, APRIL 5, 1905.

The House met pursuant to adjournment.

Prayer by Rev. A. H. Lucas.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with, and the same was approved.

The privileges of the floor were extended to General Stickles, Messrs. O. McLane and Mortimer Cole.

The Senate sent for concurrence the following entitled bills:

"An act to create the office of attorney of the board of supervisors of Oneida county" (No. 348, Rec. No. 238), which was read the first time and referred to the committee on internal affairs.

"An act to authorize the comptroller of the city of New York to examine and pay the claim of the Congregation Chaare Zedek" (No. 477, Rec. No. 239), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Greater New York charter relative to the municipal court of the city of New York" (No. 1042, Rec. No. 240), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 1418 of the Code of Civil Procedure" (No. 996, Rec. No. 241), which was read the first time and referred to the committee on codes.

"An act to amend the Railroad Law, in relation to the computation and payment of license fees and percentages of street surface railroad companies" (No. 855, Rec. No. 242), which was read the first time and referred to the committee on railroads.

"An act to amend the Forest, Fish and Game Law, in relation to the duties of the superintendent of forest fire wardens and game protectors" (No. 819, Rec. No. 243), which was read the first time and referred to the committee on fisheries and game.

Mr. Tompkins introduced a bill entitled "An act to amend the Penal Code, relative to wilful violation of building laws, building code and ordinances" (Int. No. 1391), which was read the first time and referred to the committee on codes.

Also, a bill entitled "An act to amend the Code of Civil Procedure relative to exemption from jury duty" (Int. No. 1392), which was read the first time and referred to the committee on codes.

Also, a bill entitled "An act to amend the Code of Civil Procedure relative to exemption from jury duty" (Int. No. 1393), which was read the first time and referred to the committee on codes.

Mr. Schoeneck introduced a bill entitled "An act to legalize, ratify and confirm an assessment for a local improvement in the city of Syracuse" (Int. No. 1394), which was read the first time and referred to the committee on affairs of cities.

Mr. Steele introduced a bill entitled "An act appropriating \$10,000 for a truant school in the town of Fairfield, in the county of Herkimer, and providing for the management thereof" (Int. No. 1395), which was read the first time and referred to the committee on ways and means.

Mr. Wainwright introduced a bill entitled "An act to amend the Penal Code, relative to the desecration, mutilation or improper use of the flag of the United States, or of this State" (Int. No. 1396), which was read the first time and referred to the committee on codes.

Mr. F. C. Wood introduced a bill entitled "An act to amend section 88 of chapter 275 of the Laws of 1899, entitled 'An act to revise the charter of the city of Gloversville'" (Int. No. 1397), which was read the first time and referred to the committee on affairs of cities.

Mr. Agnew introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James F. Shiels against the State of New York" (Int. No. 1402), which was read the first time and referred to the committee on claims.

Mr. Everett introduced a bill entitled "An act to provide for the widening of Pelham avenue and for the construction of a bridge to carry Pelham avenue as so widened over the tracks of the New York and Harlem railroad in the city of New York"

(Int. No. 1403), which was read the first time and referred to the committee on affairs of cities.

Mr. Merritt introduced a bill entitled "An act to legalize the acts of William McCormick, a justice of the peace of the town of Potsdam, county of St. Lawrence" (Int. No. 1404), which was read the first time and referred to the committee on internal affairs.

Mr. Steele introduced a bill entitled "An act to provide for the payment of certain notes and indebtedness of the town of Frankfort, county of Herkimer, and authorizing the issue of town bonds for such purposes" (Int. No. 1405), which was read the first time and referred to the committee on internal affairs.

Mr. Sullivan introduced a bill entitled "An act to amend the Greater New York charter, relative to the police department" (Int. No. 1406), which was read the first time and referred to the committee on affairs of cities.

Mr. J. A. Thompson introduced a bill entitled "An act to prohibit the blacklisting of employees" (Int. No. 1407), which was read the first time and referred to the committee on general laws.

Mr. Wadsworth introduced a bill entitled "An act to amend chapter 79 of the Laws of 1904, entitled 'An act authorizing the town board of the town of Caledonia, Livingston county, to pay the board of trustees of the village of Caledonia, in such county, a certain sum annually toward the salary of a village policeman'" (Int. No. 1408), which was read the first time and referred to the committee on internal affairs.

By unanimous consent,

Mr. Hackett introduced a bill entitled "An act to authorize and provide for the erection and maintenance of a new public hospital in the city of New York" (Int. No. 1409) which was read the first time and referred to the committee on cities.

Mr. La Fetra introduced a bill entitled "An act to amend sections 519 and 522 of the Greater New York charter, relative to the regulation of the price, quality and testing of gas" (Int. No. 1410), which was read the first time and referred to the committee on affairs of cities.

Mr. R. H. Smith introduced a bill entitled "An act to amend the Public Health Law in relation to the establishment of hospitals or camps for the treatment of pulmonary tuberculosis" (Int. No. 1411), which was read the first time and referred to the committee on public health.

Mr. Dowling introduced a bill entitled "An act to amend the Stock Corporations Law, in relation to consent to change place of business" (Int. No. 1412), which was read the first time and referred to the committee on the judiciary.

Mr. Nugent introduced a bill entitled "An act amending section 101 of chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws'" (Int. No. 1413), which was read the first time and referred to the committee on railroads.

By unanimous consent,

Mr. Cadin introduced a bill entitled "An act to amend chapter 194 of the Laws of 1897, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than 150,000 and less than 190,000, and regulating and prescribing his duties,' generally" (Int. No. 1414), which was read the first time.

On motion of Mr. Cadin, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on internal affairs.

Mr. Lewis introduced a bill entitled "An act to amend chapter 570 of the Laws of 1895, being an act entitled 'An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State Racing Commission'" (Int. No. 1415), which was read the first time and referred to the committee on ways and means.

By unanimous consent,

Mr. Cox introduced a bill entitled "An act creating a commission with power to agree upon a site or sites and general plans of, and to contract for the location and building of a union or other railroad passenger station or stations, yard or yards, and therewith connected facilities and approaches thereto in the city

of Buffalo, and tributary thereto to lease or sell and convey lands belonging to said city, to abandon and close now existing, and establish and open new, and change the location, width or grade of and otherwise improve docks, wharves, parks, streets and public places, and for these purposes to acquire lands and their appurtenances by condemnation proceedings or otherwise, and providing for a submission of the plans and agreements to the people to be voted upon at a general or special election " (Int. No. 1416). which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. E. E. Charles introduced a bill entitled "An act to legalize the acts of Lyman C. Broughton, a coroner of the county of Wyoming, and to permit him to file his oath of office " (Int. No. 1417), which was read the first time.

On motion of Mr. E. E. Charles, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on internal affairs.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Wainwright, Int. No. 1237, entitled "An act to legalize the acts of B. F. Cahill, a notary public " (No. 1592), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. G. F. Thompson, Int. No. 1291, entitled "An act to change the name of 'The Lockport Home for the Friendless' to 'The Home for the Friendless at Lockport' " (No. 1671), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gates, Int. No. 1356, entitled "An act to amend chapter 441 of the Laws of 1899, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Oneida county " (No. 1823), reported

in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Prentice, Int. No. 1361, entitled "An act to incorporate Phipps Houses" (No. 1828), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Friedel, Int. No. 1067, entitled "An act to incorporate the Hebrew Free Loan Association" (No. 1313), reported in favor of the passage of the same with the following amendment:

Page 2, line 24, after the word "officer" strike out including lines 25 and 26.

ROBERT J. FISH,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was recommitted the bill introduced by Mr. Wadsworth, Int. No. 458, entitled "An act to amend the State Charities Law, in relation to autopsies at Craig Colony for Epileptics" (No. 1144), retaining its place on the order of second reading, reported in favor of the passage of the same with the following amendments:

Page 2, line 5, after the word "and" insert the words "that it be confined exclusively to the brain and made."

Page 2, line 7, after the word "mutilation," insert the words "and provided also that the said Craig colony shall print conspicuously upon all application blanks used in admitting patients to the institution the fact that the officers of said colony have the above-stated powers in relation to the making of autopsies."

ROBERT J. FISH,
Chairman.

Which report was agreed to and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Lewis, Int. No. 1327, entitled "An act appropriating certain lands in the city of Oswego to the use of the Oswego Hospital" (No. 1778), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wedemeyer, Int. No. 1333, entitled "An act for the relief of the minor daughter of Joseph Parker a volunteer fireman, whose death resulted from injuries received by him while in the actual performance of his duties, and while a member of Granite Hook and Ladder Company No. 2, a volunteer fire company of the city of New York" (No. 1783), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rigby, Int. No. 1341, entitled "An act to amend section 11 of title 6 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' as amended by chapter 241 of the Laws of 1899, as amended by chapter 477 of the Laws of 1903" (No. 1808), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sherry, Int. No. 1348, entitled "An act to amend the Greater New York charter, in relation to the appointment of patrolmen" (No. 1815), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Neill, Int. No. 1366,

entitled "An act to prohibit the construction of any railroad on Livingston street in the borough of Brooklyn in the city of New York" (No. 1864), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Murphy, Int. No. 1367, entitled "An act to amend the greater New York charter, relative to anniversary day, so-called, as a holiday in the public schools of the borough of Brooklyn, city of New York" (No. 1865), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Neill, Int. No. 1368, entitled "An act to provide for the expense of widening Livingston street in the borough of Brooklyn, in the city of New York" (No. 1866), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Brooks, Int. No. 1048, entitled "An act in relation to classification of inspectors in departments of health in cities of the first class" (No. 1294), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Young, Int. No. 313, entitled "An act to amend chapter 357 of the Laws of 1903 to provide for the payment of a salary to Frederick A. King, probation officer in the city magistrates' courts of the first division, of the city of New York" (No. 313), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which

was referred the bill introduced by Mr. Young, Int. No. 418, entitled "An act to amend the Greater New York charter, relative to certain officers of the municipal court of the city of New York" (No. 439), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cox, Int. No. 492, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof, in relation to obtaining expressions of opinion of electors on questions of public policy at general elections" (No. 532), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cox, Int. No. 493, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof, in relation to submitting to the people of Buffalo at elections, ordinances, resolutions or acts of the common council and board of park commissioners of Buffalo, granting property or franchises to persons or corporations" (No. 533), reported in favor of the passage of the same without amendment, which was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rigby, Int. No. 1321, entitled "An act to repeal section 6 of title 10 of chapter 416 of the Laws of 1893, entitled 'An act in relation to the city court of Yonkers'" (No. 1772), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Freidel, Int. No. 507, entitled "An act to amend the act to provide for rapid tran-

sit railways in cities of over 1,000,000 inhabitants; relative to the construction of elevated railways in city streets" (No. 1873), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cox (Int. No. 861), entitled "An act creating a commission with power to agree upon a site and general plans of, and to contract for, the location and building of a union railroad passenger station, yard, and therewith connected facilities and approaches thereto in the city of Buffalo, and tributary thereto to lease or sell and convey lands belonging to said city, to abandon and close now existing, and establish and open new, and change the location, width or grade of and otherwise improve docks, wharves, parks, streets and public places, and for these purposes to acquire lands and their appurtenances by condemnation proceedings or otherwise" (No. 1001), reported in favor of the passage of the same with the following amendments:

Page 1, line 3, strike out the words "A member" and substitute therefor the word "president;" also, strike out the words "A member" where they appear the second time and substitute therefor the word "president."

Page 2, lines 1 and 2, strike out the words "two be selected by each of said boards respectfully."

Same page, line 2, strike out the words "five citizens and freeholders" and substitute therefor "Charles W. Goodyear, Elliot C. McDougal, Henry Schaefer, Edward G. Becker, Patrick H. Cochrane, John J. Albright, Charles F. Bishop, William H. Gratwick, Ogden P. Letchworth, Robert R. Hefford and J. F. Schoellkopf, residents."

Same page, line 3, strike out the words "To be appointed by the said mayor."

Same page, lines 19 and 20, strike out the words "in the manner of the original appointment" and substitute therefor the words "by appointment by the mayor of said city."

Same page, lines 20 and 21, strike out the words "said commis-

sioners shall by virtue of their said office be municipal officers of the city of Buffalo."

Same page, line 26, strike out the word "six" and substitute therefor the word "nine."

Page 3, line 5, strike out the word "six" and substitute therefor the word "nine."

Same page, line 7, strike out the word "six" and substitute therefor the word "nine."

Same page, line 9, strike out the word "two-thirds" and substitute therefor the word "three-fifths."

Same page, line 18, strike out the words "and the Union Station Commissioners."

Page 4, lines 13, 14, 15, 16 and 17, strike out the words "such agreement and approval shall be evidenced by their resolution to that effect endorsed upon or annexed to each copy of such maps, plans and profiles, in triplicate and signed by at least six of the said commissioners. Upon such approval of the said maps, plans and profiles."

Same page, line 26, strike out the words "to the effect that" and substitute therefor the words "which shall specify in detail how and under what terms and conditions and by whom the said Union passenger station yard and therewith connected facilities shall be obtained, constructed, maintained, used and operated, also what rights, properties, duties, obligations and conditions, shall be imposed upon and shall bind each of."

Page 5, line 1, strike out all beginning with the word "shall" down to and including the word "all" in line 8 and substitute therefor a semicolon and the word "what."

Same page, line 10, strike out beginning with the word "by" all of said line and of line 11, down to and including the word "organized."

Same page, line 13, strike out the words "at their or its cost and expense; that the" and substitute therefor a semicolon and the word "what."

Same page, line 15, strike out the word "to" and substitute therefor a semicolon and the word "what."

Same page, lines 16 and 17, strike out the words "shall be built and maintained at the cost and expense of the said corporation, and" and substitute therefor the words "said agreement shall provide further."

Same page, line 22, after the word "forth" insert the words "In case said agreement shall provide for any payment or

expenditure of money or the assumption of any obligation or obligations involving the payment of money by the city of Buffalo, the amount of such payment or payments shall be clearly and definitely stated, and limited and restricted to the amount so stated, in order that said city may in no event be bound or required to make payments of any contingent indefinite or uncertain amounts thereunder.

If by the terms of said agreement it requires any payment or expenditure of money by the said city as aforesaid, in excess of the sum or sums which are to be repaid to said city if any under said agreement, said commission shall so certify and shall also certify the amount thereof to the common council by an instrument in writing signed by not less than two-thirds in number of said commissioners. The said commissioners shall thereupon, cause a notice to be published in at least two daily papers published in said city to the effect that said agreement had entered into and is open to public inspection at the office of the commission and at such other places in the said city as the said commission may in its discretion designate for the convenience of citizens who may be interested to inspect the same. The common council shall cause to be submitted at the next general election held in such city a question substantially as follows: Shall the agreement for the construction of a Union station now filed in the office of the Union Station Commission be approved and shall the said commission be authorized to proceed thereunder? The notice and manner of the submission of said question at such general election shall be determined by the common council. If a majority of all the votes cast on the question submitted shall be in the affirmative, the Union Station Commission shall proceed with the performance and fulfillment of said agreement on behalf of the said city of Buffalo. If a majority of said votes be cast in the negative the agreement shall thereupon become null and void, but a new or modified agreement may be entered into in accordance with the terms and provisions of this act and submitted to the electors in like manner at any subsequent general election.

Page 5, line 25, after the word "agreement" insert the words "and after ratification thereof by a vote of the people if required under the terms of this act;" also,

Strike out the word "thereof" and substitute therefor the words "of said agreement."

Page 7, line 8, strike out the word "location" and substitute therefor the word "agreement."

Same page, line 24, strike out the word "and."

Same page, lines 24 and 25, strike out the words "suitable instrument or instruments," and substitute therefor the words "the aforesaid agreement."

Page 8, lines 13 and 14, strike out the words "suitable instrument or instruments," and substitute therefor the words "the aforesaid agreement."

Page 9, lines 4 and 5, strike out the words "without the like consent of said common council and mayor."

Same page, line 7, strike out the words "two million six hundred" and substitute therefor the words "twenty-five;" also, after the word "dollars" insert the words "for expenses or otherwise unless authorized by a vote of the electors of said city as provided by section three of this act."

Same page, line 23, after the word "provisions" insert the words, "of the agreement which may be entered into under the terms."

Same page, lines 24 and 25, strike out the words "and the said maps, plans and profiles of docks, wharves, parks, streets and public places."

Page 10, line 22, after the word "city" insert the words "which shall also provide for the use of said commission, suitable offices, furniture, fixtures and supplies."

Same page, line 24, after the word "employ" insert the words "with the approval of said commission."

Page 11, line 8, strike out the word "two-thirds" and substitute therefor the word "nine."

Same page, lines 22 and 23, strike out the words "general plans approved" and substitute therefor the words "agreement entered into."

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stanley, Int. No. 1273, entitled "An act to amend sections 17, 28, 41, 43, 44, 45, 47, 48, 50, 72, 73, 74, 75 and 242 of the Greater New York charter, with respect to the powers of the board of aldermen and the board of estimate and apportionment" (No. 1674), reported in favor of the passage of the same with the following amendments:

Page 2, line 4, the word "one" is misspelled.

Page 9, line 7, strike off the letter "s" from the word "contracts."

Page 12, lines 19 and 20, strike out the brackets.

Page 13, line 6, insert a comma after the word "cries."

Page 17, line 8, strike out underscoring under the word "the."

Page 19, line 6, insert a period after the word "published," and insert a comma inside bracket before the word "and."

Page 20, line 15, strike out underscoring under the word "pass."

JEAN L. BURNETT,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stanley, Int. No. 1228, entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,' in relation to the approval of plans by the local authorities" (No. 1667), reported in favor of the passage of the same with the following amendments:

In line 1 of title, after the word "To" insert the word "further;" strike out the words "in relation to" in line 4 and all of line 5 of title.

Page 1, strike out last word "as" in line 3, all of line 4, and the words "eighteen hundred and ninety-five" in line 5.

Same page, line 5, after the word "amended" insert the words "so as."

Page 2, line 5, after the word "dock" insert the word "bulkhead," and underscore the same.

Same page, line 6, after the word "grounds" insert the words "or water which is within or belongs" and underscore the same, and strike out the word "belonging."

Page 3, line 2, strike out the word "such" and insert the word "the."

Same page, line 12, strike out underscoring under the words "bridge, viaduct."

Page 5, line 22, strike out the word "and;" at end of same line insert the words "boulevards, driveways, parks, parkways, docks,

bulkheads, wharfs, piers, and public grounds and waters which are within or belong to," and underscore the same.

Page 6, between lines 3 and 4, insert a new section as follows:

"This act and all the amendments hereby made to the sections thereof hereby amended, shall be applicable to every grant, franchise or contract heretofore made, authorized or issued by the said board of rapid transit railroad commissioners but not yet consented to by the common council or board of aldermen of the city, as well as to all grants, franchises and contracts hereafter made, authorized or issued by the said board of rapid transit railroad commissioners."

Same page, line 4, make "§ 2" read "§ 3."

JEAN L. BURNETT,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stanley, Int. No. 1288, entitled "An act to amend the Greater New York charter, in relation to the respective powers and duties of the board of estimate and apportionment and the board of aldermen" (No. 1668), reported in favor of the passage of the same with the following amendments:

Line 1 of title, after the word "amend" insert the following: "Sections forty-three, forty-four, forty-seven and two hundred and forty-two of."

Same line, strike out the words "in relation" and insert "with reference."

Page 1, line 1, strike out the words "and forty-four."

Line 2, strike out all beginning with the word "as" down to and including the word "one" in line 3, and insert in place thereof the following: "entitled 'An act to unite into one municipality under the corporate name of the city of New York the various communities lying in and about New York, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens and to provide for the government thereof.'"

Line 4, after the word "amend" insert the words "so as,"
Strike out all of line 5.

Page 2, line 23, strike out the word "of" and insert the word "or."

Line 25, after the word "streets" insert the word "avenues" and underscore the same.

Same page, same line, after the word "boulevards" insert the word "concourses," and underscore the same.

Page 3, line 1, after the word "parkways" insert "waterways" and underscore the same. Same line, after the word "docks" insert "bulkheads" and underscore the same. Same line, add the letter "s" to the word "ground" and insert thereafter the words "and waters" and underscore the same.

Line 2, at beginning of line, insert the words "are within or" and underscore the same.

Strike out all of line 3, and insert in place thereof, "Section 2. Section forty-four of the Greater New York charter is hereby amended to read as follows."

Line 21, make section "2" read section "3." Same line, after the word "seven," insert the words "of the Greater New York charter," and strike out all of the line beginning with the word "of" and all of line 22, except the word "is."

Line 23, after the word "amended" insert the words "so as;" Strike all of line 24.

Page 5, line 12, after the word "streets" insert "avenues" and underscore the same. Same line, after the word "boulevards" insert "concourses" and underscore the same.

Line 13, after the word "parkways" insert "waterways" and underscore the same. Same line, after the word "docks" insert "bulkheads" and underscore the same.

Line 14, after the word "grounds" insert "and waters" and underscore the same. Same line, after the word "which" insert "are within or" and underscore the same.

Line 16, make section "3" read section "4." Same line, strike out the words "such act" and insert the words "the Greater New York charter."

Strike out all of lines 18 and 19.

Page 6, line 6, after the word "also" insert the figure "three" and underscore the same. Same line, after the word "streets" insert the word "avenues" and underscore the same.

Line 8, after the word "all" insert "other" and underscore the same. Same line, after the word "grounds" insert "and waters" and underscore the same. Same line, after the word "two" insert "or within" and underscore the same.

Line 10, after the word "streets" insert "avenues" and underscore the same.

Line 11, after the word "boulevards" insert "concourses" and underscore the same. Same line, after the word "parkways" insert "waterways" and underscore the same.

Line 12, insert the word "bulkheads" at beginning of line and underscore the same. Same line, after the word "grounds" insert "waters which are within or" and underscore the same. Same line, make the word "belonging" read "belong." Strike out all beginning with the word "the" on line 14 down to and including the word "aldermen" on line 21 and insert in place thereof the following: "If and when the board of estimate and apportionment shall deem it proper in the case of any application or matter affecting any street, avenue, highway, boulevard, concourse, driveway, bridge, tunnel, park, parkway, waterway, dock, wharf, pier or public ground, or water within or belonging to the city, whether the board of aldermen or any other department or officer shall have acted or omitted to act the board of estimate and apportionment may itself originally act or may by amendment, revision or repeal of any resolution, ordinance, grant or other action adopted, or had by the board of aldermen, or any other department or officer, exercise its said power of control; and if when the board of estimate and apportionment shall act, or exercise such control, such action or control shall be fully and finally operative, notwithstanding any resolution, ordinance, grant, or other action adopted or had by the board of aldermen, or any other department or officer of the city or any omission to act on the part of the board of aldermen or other department or officer" and underscore the same.

Page 7, line 9, before the word "conclusion" insert "or" and underscore the same.

Line 11, after the word "street" insert "avenue" and underscore the same.

Line 12, after the word "boulevard" insert "concourse" and underscore the same. Same line, after the word "parkway" insert "waterway" and underscore the same. Same page, after the word "dock" insert "bulkhead" and underscore the same.

Line 13, strike out the word "belonging" and insert "or water which is within or belongs."

Line 17, after the word "street" insert "avenue" and underscore the same. Same line, after the word "boulevard" insert "concourse" and underscore the same.

Line 18, after the word "parkway" insert the word "waterway," and underscore the same. Same line, after the word "dock" insert "bulkhead" and underscore the same.

Line 19, strike out the word "belonging" and insert "or water which is within or belongs" and underscore the same.

Line 20, after the word "such" insert "route" and underscore the same and strike out the word "route" where it later occurs in the line.

Page 8, line 4, after the word "aldermen" insert "or any department or officer of the city" and underscore the same. Between lines 4 and 5, insert a new section, to be known as section 5, to read as follows: "Section 5. This act and all the amendments hereby made to the sections thereof, hereby amended, shall be applicable to every grant, franchise, or contract, heretofore made, authorized, or issued by the board of rapid transit railroad commissioners for the city of New York, but not yet consented to by the common council, or board of aldermen of the city, as well as to all grants, franchises and contracts, hereafter made, authorized or issued by the said board of rapid transit railroad commissioners, and underscore the same.

Line 5, make section "5" read section "6."

JEAN L. BURNETT,
Chairman.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Stanley, Int. No. 541, entitled "An act to regulate the use of streets, avenues and public places in the city of New York, in the borough of Manhattan, by steam railroads operated at grade" (No. 589), reported in favor of the passage of the following substitute bill:

AN ACT to regulate the use of streets, avenues and public places in the city of New York, in the borough of Manhattan, by steam railroads operated at grade.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The board of rapid transit commissioners in and for cities having over one million inhabitants, is hereby empowered and directed as speedily as possible to prepare a plan for the removal of the tracks of steam railways now laid on, across, through or along the public streets, avenues, or public parks or places of

city of New York, in the borough of Manhattan, at grade; and to take such action in that regard as herein provided. In carrying out the duties imposed by this act, the board of rapid transit commissioners and their various officers and agents shall have and enjoy all the powers now conferred on them by statute, so far as the same may be applicable to the purpose of this act, together with all powers which any board, commissioner or public officer now has to regulate the manner of exercise on, across, through or along such streets, avenues, or public parks or places of any public franchise heretofore granted to any such steam railway company including the right to regulate or require changes to be made for the public convenience or benefit in the use of such streets, avenues, public parks or places by such railroad company, and all other powers in that regard expressed or implied in any such franchise granted to any such railway company, to operate a railroad on, across, through or along avenues, streets, or public parks or places of the borough of Manhattan.

§ 2. The board of rapid transit commissioners is hereby empowered to prepare a plan and make an agreement between any railroad company or companies now operating a steam railroad in the borough of Manhattan, in the city of New York, which railroad is now operated at grade as aforesaid in said borough, said plan to provide in detail for the construction by the railroad company or companies of a subway under the road-bed of the present tracks or under such other street or streets, avenue or avenues or public or private property as may be agreed upon in substitution therefor, to which said tracks shall be removed and placed and on which shall be operated the freight and passenger traffic now conducted by said company under any existing franchise or franchises and to provide that the rights thereby granted in and to said subway shall replace and be substituted and accepted for all present franchises on, across, through and along streets, avenues and public parks and places where said railroad is now operated and that the tracks shall be removed therefrom forever and that the right and franchise to operate said steam railroad thereon shall cease, and be replaced by the right and franchise therein provided to operate an underground freight and passenger railroad with the same number of tracks in said subway under the control of the board of rapid transit commissioners; and the board of rapid transit commissioners may and is hereby empowered to grant to said company or companies the franchise to conduct a passenger business on all or any of said tracks where now only a franchise to conduct a freight business exists and the right to lay additional tracks in said subway for freight and passenger traffic with a franchise for a period as to said additional tracks not to exceed

twenty-five years, under terms fixed in said grant by the board of rapid transit commissioners providing for the payment to the city for each additional franchise of such sum or sums as the board of rapid transit commissioners may deem just and proper, at the expiration of which period all rights under said grant shall cease and all property in said additional subway and tracks shall pass to the city of New York without further compensation.

§ 3. The board of rapid transit commissioners may further provide in said plan for the construction of such pipe galleries in, along and through said subway as they may deem necessary for the public use; and provide for the expense of constructing the same to be borne by the city of New York, said pipe galleries to be and remain the property of the city of New York. If the board of rapid transit commissioners shall provide for the construction of pipe galleries to contain sewers, pipes or other subsurface structures, the said galleries shall be maintained by the city of New York and shall be in the care and charge of the said board and subject to such regulations as it shall prescribe not inconsistent with the provisions of this act, and any revenue derived therefrom shall be paid into the treasury of said city. Provided, however, that any person or corporation who or which, at the time of the construction of the said galleries shall own pipes, subways or conduits in a street, avenue or public place in which said galleries shall be constructed pursuant to this act, shall be entitled to the use of such galleries for his or its said pipes, subways or conduits in the same manner as the said person or corporation shall be entitled by law to the use of such street, avenue or public place, and that no rent shall be charged for such use, except a reasonable charge to defray the actual cost of maintenance, unless such pipes, subways or conduits shall be of a greater capacity than those theretofore owned by such person or corporation in said street, avenue or public place, and that, if the capacity of any such pipe, subway or conduit so placed in the said galleries shall be increased, the rent shall be charged only for such increased capacity; and provided, further, that the placing in any such galleries of the subways or conduits of any corporation owning subways or conduits for electrical conductors, shall not in any wise affect the right of such corporation to charge and demand such compensation or rent for the use of said subways or conduits by other corporations or individuals as is, or may be, permitted by law. Whenever the construction of any railway, depressed way, subway or tunnel under the provisions of this act shall interfere with, disturb or endanger any sewer, water pipe, gas pipe, or other duly authorized subsurface structures, the work of construction at such points shall be con-

ducted in accordance with the reasonable requirements and under the supervision of the officer or local authority having the care of and the jurisdiction or control over such subsurface structures so interfered with, disturbed or endangered. All expenses incidental to such supervision and to the work of reconstructing, readjusting and supporting any such sewer, water pipe, gas pipe or other duly authorized subsurface structure shall be borne and paid by the railroad company or companies now operating such steam railroad. Said plan shall provide further, the time within which such work shall be done which shall be under the supervision and the control of the board of rapid transit commissioners. The board of rapid transit commissioners shall prepare such plan, and the maps and drawings necessary thereto as speedily as possible. No agreement for the changes proposed by this act or for the plan herein provided for, shall be binding or take effect until the contract, the said plan and the maps in connection therewith, prepared by and under the direction of the board of rapid transit commissioners, shall have been submitted to the board of estimate and apportionment of the city of New York and shall have been approved by said board. Upon said approval, the said contract may be executed by the board of rapid transit commissioners and said railroad company or companies and shall thereupon be binding upon the city of New York, upon said board of rapid transit commissioners and upon said railroad company or companies. After said contract shall have gone into effect, the enforcement thereof and of the several provisions therein contained shall be a part of the duties of said board of rapid transit commissioners, which shall in its own name take such proceedings in law or in equity as may be from time to time necessary to enforce the same. Provided, however, that nothing in this act contained shall be held to affect or apply in any way to a corporation operating a steam surface railroad in the city of New York for the purpose only of transporting freight cars from its wharves, docks or piers to its freight yards or depots in said city over tracks not more than one-half mile in length.

§ 4. In case the board of rapid transit commissioners shall be unable within twelve months after this act takes effect as herein provided to agree with any such railroad company or companies upon a plan for carrying out the purpose and provisions of section one of this act, it shall be the duty of said board of rapid transit commissioners forthwith to take proceedings for the condemnation of all valid and lawful franchises of said company now in force under which it operates any such steam railroad at grade on, across, through or along streets, avenues or public parks or places of the city of New York in the borough of Man-

hattan; and for the removal of all the tracks and appurtenances of said company therefrom and said board is hereby empowered to apply to the supreme court at a special term thereof held in and for the county of New York in the borough of Manhattan on fourteen days' notice to the corporation counsel and to the railroad company whose rights, privileges or franchises are to be condemned, for the appointment of three commissioners to appraise and fix the value of any franchise of said railroad company to operate a railroad on, across, through or along public streets, avenues or public parks or places of said city in the borough of Manhattan.

§ 5. In case the powers and duties of the board of rapid transit commissioners are hereafter transferred to any other board or officer, such other board or officer shall have all the powers and perform all the duties conferred or imposed by this act upon the said board of rapid transit commissioners.

§ 6. This act shall take effect immediately.

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said substitute bill ordered printed and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Freidel, Int. No. 1023, entitled "An act to amend the Greater New York charter, relating to the hours and duties of the members of the police force" (No. 1233), reported the same with the following amendment, and request that said bill be recommitted to said committee:

Page 2, line 5, strike out the words "or special duty."

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sullivan, Int. No. 1010, entitled "An act to amend the Greater New York charter, relating to the preference in the paid fire department of volunteer firemen" (No. 1220), reported the same with the following amend-

ments, and request that said bill be recommitted to said committee:

Page 3, line 13, strike out the bracket before the word "upon;" bracket out the word "noncompetitive," and insert the word "physical."

Same page, line 14, after the word "fitness" insert the word "only."

Same page, line 20, strike out the bracket after the word "appointment" and the remainder of the line down to and including the word "appointed" in line 21.

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Elsberg, Rec. No. 210, entitled "An act relating to the investment, by the chamberlain of the city of New York, of funds or moneys paid into court in the counties of New York, Kings, Queens and Richmond" (No. 860), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Martin, Rec. No. 195, entitled "An act to amend chapter 413 of the Laws of 1892, entitled 'An act to provide for the construction of a draw-bridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city,' as amended by chapter 540 of the Laws of 1894 and as amended by chapter 716 of the Laws of 1896" (No. 787), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Lewis, Rec. No. 191, entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,'

in relation to health districts" (No. 852), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Lewis, from the committee on insurance, to which was referred the bill introduced by Mr. Tompkins, Int. No. 740, entitled "An act to amend the Insurance Law in relation to the incorporation of fraternal beneficiary societies, orders or associations" (No. 839), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Lewis, from the committee on insurance, to which was referred the bill introduced by Mr. Mead, Int. No. 1200, entitled "An act to amend the Insurance Law relative to mutual benefit fraternities" (No. 1534), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Lewis, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Ambler, Rec. No. 203, entitled "An act to amend the Insurance Law, as to how surplus profits are to be estimated in the case of domestic fire insurance corporations" (No. 612), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Apgar, from the committee on electricity, gas and water supply, to which was recommitted the bill introduced by Mr. Yale, Int. No. 1021, entitled "An act to amend the Greater New York charter, relative to the acquisition of lands and water rights and the use of waters in Putnam county" (No. 1726), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Apgar, from the committee on electricity, gas and water supply, to which was recommitted the bill introduced by Mr. Tompkins, Int. No. 26, entitled "An act to provide for an additional supply of pure and wholesome water for the city of New

York; and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects" (No. 1798), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Apgar, from the committee on electricity, gas and water supply, to which was recommitted the bill introduced by Mr. Apgar, Int. No. 255, entitled "An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties" (No. 1728), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. J. T. Smith, from the committee on banks, to which was recommitted the bill introduced by Mr. A. E. Smith, Int. No. 597, entitled "An act to amend the Banking Law, prohibiting use of the word "savings," except by savings banks and building and loan associations" (No. 663), reported in favor of the passage of the same with the following amendments:

Page 2, line 4, insert after the word "association" the words organized under the laws of the state of New York."

Same page, line 26, strike out the words "except a savings bank or building and loan association."

J. T. SMITH,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of third reading.

Mr. J. T. Smith, from the committee on banks, to which was referred the Senate bill introduced by Mr. Stevens, Rec. No. 196, entitled "An act to amend the Banking Law with reference to a semi-annual examination by directors of banks and trust companies" (No. 874), reported in favor of the passage of the same

without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. J. T. Smith, from the committee on banks, to which was referred the Senate bill introduced by Mr. Davis, Rec. No. 187, entitled "An act to amend the Banking Law, relative to communications from the Banking Department to banks, savings banks and trust companies" (No. 875), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Plank, from the committee on excise, to which was recommended the bill introduced by Mr. Wainwright, Int. No. 141, entitled "An act to amend the Liquor Tax Law, relative to the submission of questions as to the sale of liquors in residence districts in certain cities and villages" (No. 141), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Plank, from the committee on excise, to which was referred the bill introduced by Mr. F. G. Whitney, Int. No. 1332, entitled "An act to amend the Liquor Tax Law in relation to special deputy commissioners, excise taxes, local option, persons who shall not traffic in liquors, cancellation proceedings, injunction proceedings, special liquor tax certificates, convictions and reports and fees of county clerks" (No. 1786), reported in favor of the passage of the same with the following amendments:

Page 19, line 1, after the word "forfeit" insert the words "the use of."

Same page, line 2, after the word "pharmacist" insert the words "for the term of one year."

Same page, line 3, after the word "thereunder" insert the words "during such period."

Same page, line 4, after the word "cancelled" insert the words "To be held by the officer to whom the same is surrendered or his successor in office until the expiration of such period of suspension."

CHARLES S. PLANK.

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. F. C. Wood, Int. No. 1194, entitled "An act to amend the Forest, Fish and Game Law in relation to the compensation of game protectors and the disposition of proceeds of actions" (No. 1503), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Wilson, Int. No. 911, entitled "An act to amend the Forest, Fish and Game Law, relative to taking fish with nets in Lake Ontario" (No. 1092), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Knapp, Int. No. 1365, entitled "An act to amend the Forest, Fish and Game Law, relative to the transportation of fish caught in the waters of Missisquoi bay and the tributaries to said bay in the Province of Quebec, and Richelieu river in said province" (No. 1863), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Prentice, Int. No. 897, entitled "An act to amend the Forest, Fish and Game Law, relative to the close season" (No. 1078), reported in favor of the passage of the same with the following amendment:

Page 2, line 20, strike out the word "immediately" and insert the words "October first, nineteen hundred and five."

WILLIS A. REEVE,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Gates, Int. No. 13, entitled "An act to amend chapter 20 of the Laws of 1900, known as an act for the protection of the forest, fish and game of the State, constituting an addition to said chapter 20, Laws of 1892, to be known as article 14 of said chapter, being an amendment to chapter 81 of the general laws, providing for a license to hunt deer, bear and game birds" (No. 818), reported a substitute bill, and request that said substitute bill be printed and recommitted to said committee, which report was agreed to and said substitute bill ordered printed and recommitted to said committee.

(See Appendix No. 11.)

Mr. Sheldon, from the committee on public health, to which was recommitted the bill introduced by Mr. Mead, Int. No. 550, entitled "An act regulating the practice of osteopathy in the State of New York" (No. 1729), retaining its place on the order of second reading, reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 2, line 16, after the word "the" insert the words "board of regents, these examiners to be recommended to the regents by the."

Same page, same line, after the words "New York" insert the word "state."

Same page, line 17, after the word "society" strike out all down to and including the word "New York" in line 18.

Same page, line 26, strike out the word "pathology."

Page 3, line 1, after the word "obstetrics" insert a comma and the word "pathology."

Same page, same line, strike out the word "and," and after the word "diagnosis" insert the words "therapeutics, including practice."

Page 4, line 18, at the end of line insert the word "regents."

Same page, line 19, strike out all of line 19, and down to and including the word "graduation" in line 20.

Page 5, strike out all down to and including the word "medicine" in line 8 and insert the following:

"§ 7. The board shall submit to the regents lists of examination questions for thorough examination in anatomy, physiology and hygiene, chemistry, obstetrics, pathology and diagnosis, and therapeutics including practice. From the lists of questions so submitted taken in connection with the questions presented by other medical examining boards, relating to said questions, on file with the board of regents, the said board of regents shall select the questions for each examination and present the same to the candidates at each examination by an examiner appointed therefor by the board of regents on such questions for such examination shall be so selected as to require the same standard of excellence, in said subjects of examination, from all candidates except that in the department of therapeutics and practice the questions shall be in harmony with the tenets of the school of osteopathy."

JAMES C. SHELDON,

Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Cotton, from the committee on military affairs, to which was referred the bill introduced by Mr. Callahan, Int. No. 1337, entitled "An act providing for a pension for Michael Strohm, a former member of the State militia, directing the Adjutant-General to place his name upon the roll of invalid pensioners of this State, and making an appropriation for the payment of such pension" (No. 1804), reported in favor of the passage of the same with the following amendments:

Page 1, line 8, strike out the period after the word "service" and insert the words "provided that said Michael Strohm shall furnish satisfactory evidence to the adjutant-general of his enlistment, honorable discharge and such other facts as are required by the provisions of the pension law."

Page 2, line 1, insert after the word "directed" the words "upon the presentation of such evidence."

CHARLES C. COTTON,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hammond, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation :

“An act to amend the Forest, Fish and Game Law, relating to trout fishing in the county of Allegany.” (No. 1840, Int. No. 466.)

“An act to amend the Code of Civil Procedure, in relation to the jurisdiction of the Court of Claims.” (No. 1843, Int. No. 682.)

“An act to amend the Greater New York charter relative to the police department of the city of New York.” (No. 1237, Int. No. 1042.)

“An act to provide for the compensation of the transcribers or copyists of old or mutilated records in the office of the clerk of the county of Kings.” (No. 1704, Int. No. 1297.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Daniel O’Grady against the State for damages alleged to have been sustained by him, and to enter judgment therefor.” (No. 1837, Int. No. 1080.)

“An act to encourage the formation of companies to supply Pasteurized or clarified milk and cream and pure dairy products and to exempt the same from the provisions of sections 1 and 2 of chapter 290 of the Laws of 1899, and section 7 of the Stock Corporations Law.” (No. 1791, Int. No. 1022.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William E. Carney, as executor of the last will and testament of Michael Carney, deceased, for damages against the State, alleged to have been sustained by him, and to render judgment therefor.” (No. 1838, Int. No. 1247.)

“An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations.” (No. 1868, Int. No. 1373.)

"An act to amend the Forest, Fish and Game Law, relative to the transportation of fish caught in the waters of Missisquoi bay and the tributaries to said bay in the Province of Quebec, and the Richelieu river in said province." (No. 1863, Int. No. 1365.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1834) entitled "An act to amend sections 23 and 58 and 2361 of the Code of Civil Procedure, in relation to the sale, mortgaging or leasing of the contingent interest of infants not in being in real property" (Int. No. 1184), reported the same with the following recommendations:

Amend title to read as follows:

"An act to amend the code of civil procedure, in relation to the sale, mortgaging or leasing of the contingent interest of infants not in being in real property."

Page 1, line 2, after the word "procedure" insert a comma, and strike out the words "so as."

Page 2, line 1, after the word "effect" insert a comma.

Same page, line 3, after the word "age" strike out the comma and insert the words "or the lunatic," and strike out the words "and the infant."

Same page, line 16, after the word "procedure" insert a comma and strike out the words "so as."

Same page, line 20, after the word "debts" insert a comma.

Page 3, line 2, after the word "title" strike out the comma.

Same page, line 18, after the word "has" insert the word "already."

Same page, line 19, strike out the word "already."

Same page, line 22, after the word "there" insert the word "may."

Same page, line 25, after the word "property" strike out the comma.

Page 4, line 4, strike out the word "lien" and insert the word "lieu."

Page 5, line 9, strike out the word "three" and insert the word "five."

Same page, line 5, after the word "repairing" insert a comma.

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1833) entitled "An act to amend the Code of Civil Procedure with respect to the city court of the city of New York and providing for an additional stenographer for the special term of said court" (Int. No. 1144), reported the same with the following recommendations:

Insert a comma after the word "procedure" in second line of title.

Page 1, line 2, after the word "procedure" insert a comma.

Page 2, line 6, after the word "salary" insert a comma.

Same page, line 8, after the word "procedure" insert a comma.

Same page, line 17, strike out the word "immediately" and insert the words "Septémber first, nineteen hundred and five."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1794) entitled "An act to amend the Agricultural Law, in relation to the prevention of disease in fruit trees, and the pests that infest the same" (Int. No. 1163), reported the same with the following recommendations:

Page 3, line 8, after the word "trees" insert a comma.

Same page, line 21, after the word "shall" insert in brackets the words "have been," and underscore the word "be."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1836) entitled "An act to amend section 4, title 10 of chapter 556, Laws of 1894, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction,' as amended by section 5 of chapter 512, Laws of

1897" (Int. No. 1270), reported the same with the following recommendations:

Amend the title to read as follows:

"An act to amend the consolidated school law, relative to the closing of schools during teachers' institutes."

Page 1, line 2, after the word "ninety-four" insert the words "entitled 'An act to revise, amend and consolidate the general acts relating to public instruction.'"

Same page, line 3, after the word "by" strike out the words "section five."

Same page, line 4, after the word "ninety-seven" insert a comma.

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1796) entitled "An act to amend the Forest, Fish and Game Law, relative to appointing additional protectors" (Int. No. 737), reported the same with the following recommendations:

Page 2, line 2, strike out the word "Clinton" after the word "Rensselaer," and insert the word "Clinton" after the word "Essex."

Same page, line 4, after the word "next" insert in brackets the word "eight."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1708) entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown'" (Int. No. 1301), reported the same with the following recommendations:

Strike out the period at end of title and insert a comma and the words "relative to revising several sections of said charter."

Page 1, line 4, strike out the words "so as."

Page 4, line 1, after the word "act" insert a comma, and strike out the words "so as."

Same page, line 21, after the word "act" insert a comma, and strike out the words "so as."

Page 5, line 21, after the word "act" insert a comma, and strike out the words "so as."

Page 6, line 3, after the word "cities" insert a period in brackets, and underscore the semicolon.

Same page, line 11, after the word "act" insert a comma, and strike out the words "so as."

Same page, line 23, after the word "act" insert a comma, and strike out the words "so as."

Same page, line 25, insert a parenthesis before the word "except."

Same page, line 26, insert a parenthesis after the word "review."

Page 7, line 8, after the word "act" insert a comma, and strike out the words "so as."

Same page, line 21, after the word "act" insert a comma.

Same page, line 24, after the word "eight-c" insert the word "and."

Page 14, line 6, after the word "act" insert a comma, and strike out the words "so as."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1790) entitled "An act to amend article 9 of chapter 20 of the Laws of 1900, by adding thereto sections 176-a, 176-b, 176-c and 176-d, which added sections shall provide as follows" (Int. No. 778), reported the same with the following recommendations:

Strike out the second, third, fourth, fifth and sixth lines of title except the first two words of line 2 "To amend," and insert after the word "amend" the words "the forest, fish and game law, relative to special game protectors."

Page 1, line 1, strike out the first word "Section" insert "Section 1. Chapter twenty of the laws of nineteen hundred, entitled 'An act for the protection of the forest, fish and game of the state, constituting chapter thirty-one of the game laws,'

is hereby amended by inserting therein five new sections to be sections one hundred and seventy-six-a, one hundred and seventy-six-b, one hundred and seventy-six-c, one hundred and seventy-six-d, one hundred and seventy-six-e, and to read respectively as follows."

Same page, line 1, before the figures 176-a insert a section mark.

Page 3, line 4, insert " § 2 " before the word " This."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1795) entitled "An act to amend article 9 of chapter 20 of the Laws of 1900, by adding thereto sections 176-a, 176-b, 176-c and 176-d, which added sections shall provide as follows" (Int. No. 1223), reported the same with the following recommendations:

Page 1, line 2, after the word " ninety-four " insert the words " entitled 'An act to repeal the provisions for the election of a separate officer to be surrogate in the county of Niagara and establish the compensation of the county judge of said county when he shall be also surrogate.'"

Page 2, line 6, after the word " any " insert the word " such ; " after the word " he " insert the word " is " in brackets and underscore the word " was."

Same page, line 7, strike out the word " said " and insert the word " such."

Same page, line 9, strike out the word " further " and insert the word " hereby."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1839) entitled "An act to amend the Stock Corporations Law in relation to the sale of franchises and property of corporations in towns, villages and cities of the third class" (Int. No. 1157), reported the same with the following recommendations:

In second line of title insert a comma after the word "law."

Page 1, line 1, strike out the words "The stock corporation law" and insert the words "chapter five hundred and sixty-four of the laws of eighteen hundred and ninety, entitled 'An act in relation to stock corporations, constituting chapter thirty-eight of the general laws,' as amended by chapter six hundred and eighty-eight of the laws of eighteen hundred and ninety-two."

Same page, line 2, at end of line after the word "thirty-three-a" insert the word "and."

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the Senate bill (No. 1845) entitled "An act to amend chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations'" (Rec. No. 113), reported the same with the following recommendations:

Amend the title to read as follows:

"An act to amend the banking law, relative to trust companies."

Page 1, line 3, after the word "corporation" insert the words "as amended by chapter six hundred and ninety-six of the laws of eighteen hundred and ninety-three, chapter six hundred and sixty of the laws of nineteen hundred and three, chapter four hundred and ninety-two of the laws of nineteen hundred and four."

Page 1, line 14, strike out the words "so as."

Page 4, line 22, insert after the word "corporation" in brackets a parenthesis, and after the word "indirectly" insert in brackets a parenthesis.

Same page, line 23, after the word "thereof" insert a comma.

Page 5, line 1, after the word "foreign" insert in brackets the word "corporation," and underscore the words "trust company."

Same page, line 5, insert a comma after the word "indirectly;" after the word "business" insert in brackets a period, and underscore the words "except that nothing," at end of line.

Same page, underscore all of lines 6, 7 and 8.

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1792) entitled "An act to amend the Stock Corporations Law, in relation to annual reports of corporations" (Int. No. 280), reported the same with the following recommendation:

Page 2, underscore lines 13, 14, 15, 16 and 17.

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

"An act to amend the Penal Code, in relation to stamping or marking articles manufactured of gold or of any alloy of gold." (No. 1495, Int. No. 1186.)

"An act to amend chapter 394 of the Laws of 1904, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the duties of the commissioner." (No. 1860, Rec. No. 58.)

"An act to amend the Consolidated School Law, relative to the qualifications of school commissioner." (No. 1851, Int. No. 484.)

"An act to amend the County Law, in relation to the power of the board of supervisors of any county to sell, assign, transfer or set over a judgment obtained in the Court of Claims by such county against the State of New York. (No. 1855, Int. No. 228.)

"An act to provide for the construction and maintenance of a sanitary trunk sewer and sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor." (No. 1797, Int. No. 531.)

"An act to amend the Forest, Fish and Game Law, relative to penalties." (No. 1321, Int. No. 1075.)

"An act to amend the Forest, Fish and Game Law, relative to the use of nets in Coney Island creek." (No. 1325, Int. No. 1079.)

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the salaries of the record clerks of the court of general sessions." (No. 1853, Int. No. 461.)

"An act to amend chapter 331 of the Laws of 1898, entitled 'An act in relation to violations of the provisions of the Penal Code, relating to the manufacture or sale of spurious silverware,' by making the provisions thereof apply to the manufacture or sale of spurious goldware." (No. 1463, Int. No. 1177.)

"An act to amend the Liquor Tax Law, in relation to the violation and the penalties for a violation of such law twice during the term of any one certificate." (No. 1859, Int. No. 1129.)

"An act to amend chapter 208 of the Laws of 1889, entitled 'An act to incorporate the fire department of the town of Newtown, Queens county, N. Y.' in relation to chiefs of such department." (No. 1850, Int. No. 1222.)

"An act authorizing the police commissioner of the city of New York to rehear the charges upon which John W. Nelson, formerly a patrolman in the police department of said city, was dismissed from said department, and to reinstate him in his former position." (No. 1854, Int. No. 271.)

"An act to amend section 727 of the Greater New York charter, relative to the power of the fire commissioner." (No. 1801, Int. No. 666.)

"An act to amend the Greater New York charter, relative to the certification of public records by the comptroller." (No. 1856, Int. No. 1116.)

"An act to amend the Liquor Tax Law, in relation to two violations of the law during term of one certificate." (No. 1861, Int. No. 1128.)

"An act to amend the Forest, Fish and Game Law, in relation to close season for trout in Fall Brook creek and its tributaries in the town of Sumner Hill in the county of Cayuga." (No. 1544, Int. No. 1206.)

"An act to amend chapter 359 of the Laws of 1897, entitled

‘An act to incorporate the city of Rensselaer,’ relative to additional bonds for street pavements and the erection of a fire house, and the issue of bonds therefor.” (No. 1663, Int. No. 1283.)

“An act to amend chapter 580 of the Laws of 1902, entitled ‘An act in relation to the municipal court of the city of New York, its officers and marshals,’ relative to jurors.” (No. 1846, Int. No. 1211.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Eugene Scherri against the State for damages alleged to have been sustained by him, and to render judgment therefor.” (No. 1771, Int. No. 919.)

“An act to authorize the city of Lockport to borrow money, by the issue of bonds, to make needed repairs to Hawley street school building and to improve the heating, ventilating and closet system therein.” (No. 1613, Int. No. 1258.)

“An act to amend the Greater New York charter, in relation to the salary of justices of the court of special sessions.” (No. 1619, Int. No. 1264.)

“An act to amend the Greater New York charter so as to confer power upon the board of estimate and apportionment to appropriate money for the proper observance of Memorial day in the city of New York.” (No. 1563, Int. No. 1229.)

“An act to amend the Forest, Fish and Game Law, in relation to spearing fish in Ulster county.” (No. 1625, Int. No. 599.)

“An act to amend the Village Law, relating to the number of members of hose companies.” (No. 892, Int. No. 780.)

“An act compelling steamboat corporations to provide transfer facilities for passengers.” (No. 1761, Int. No. 717.)

“An act to amend the Forest, Fish and Game Law, relative to grouse and woodcock not being sold.” (No. 1320, Int. 1074.)

“An act to amend the Forest, Fish and Game Law, relative to close season on woodcock.” (No. 1323, Int. No. 1077.)

“An act to amend the Municipal Law, relative to debts, bonds and taxes for pavement purposes.” (No. 743, Int. No. 662.)

"An act to amend the Penal Code, in relation to adultery." (No. 1852, Int. No. 785.)

"An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 2 of the town of Wawarsing, Ulster county." (No. 711, Int. No. 631.)

"An act to authorize trustees of the village of Sag Harbor, Suffolk county, to construct and maintain a wharf in such village." (No. 1734, Int. No. 1308.)

"An act to amend the Civil Service Law, relating to the qualification of applicants for civil service examinations." (No. 1848, Int. No. 386.)

"An act to amend the Railroad Law, in relation to the consents of property owners to the construction of street railroads in the county of Kings." (No. 1849, Int. No. 612.)

"An act to amend the Forest, Fish and Game Law, relative to Jamaica bay and adjacent waters." (No. 1322, Int. No. 1076.)

"An act to amend the Tax Law, in relation to the notice of completion of assessment roll and grievance day." (No. 1847, Int. No. 606.)

"An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' relative to revising several sections of said charter." (No. 1802, Int. No. 948.)

"An act to legalize, ratify and confirm a special election held in the village of Hoosick Falls, county of Rensselaer, for the purpose of voting upon a proposition submitted thereat for the purchase by such village of certain real property and the issuance of bonds for the payment of the purchase price thereof, and for the erection and equipment of a village building thereon." (No. 1437, Int. No. 1150.)

"An act to authorize a further appropriation for the maintenance of the American Museum of Natural History in the Central park of the city of New York." (No. 769, Int. No. 681.)

"An act to amend chapter 323 of the Laws of 1872, entitled 'An act authorizing the election of a receiver of taxes and assess-

ments for the town and village of Saratoga Springs.'” (No. 1555, Int. No. 1217.)

“An act to incorporate the Staten Island Association of Arts and Sciences and to provide for the care and housing of its museum and library by the city of New York.” (No. 1565, Int. No. 1231.)

“An act to authorize the city of Binghamton to expend a sum of money, not exceeding \$10,000, in the purchase and improvement of lands at the junction of the Chenango and Susquehanna rivers in said city, for a public park, and to issue bonds therefor.” (No. 1559, Int. No. 1221.)

“An act to amend section 53 of chapter 565 of the Laws of 1895, as amended by chapter 199, Laws of 1898, and by chapter 289, Laws of 1899, and by chapter 271, Laws of 1902, and by chapter 595, Laws of 1904, relative to the annual tax levy in the city of Little Falls.” (No. 1670, Int. No. 1290.)

“An act authorizing the police commissioner of the city of New York to allow a pension to the widow of James McGowan, a former patrolman of the police department of the city of New York.” (No. 1360, Int. No. 1101.)

Mr. Burnett offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on railroads be discharged from the further consideration of Assembly bill No. 1779, entitled “An act to regulate elevator conductors and the operation of elevators in the city of New York” (Int. No. 1328), and that said bill be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Burnett in the chair.

The Senate bill (No. 892) entitled “An act to amend the Tax Law, by providing for a tax on transfers of stock” (Rec. No. 235), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading.

Mr. Rogers moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Agnew	Dodd	Hubbs	Perry	Smith R H
Allen F E	Donovan	Hurd	Phillips	Standart
Allen J G	Dowling	Kavanaugh	Plank	Stanley
Apgar	Ellis	Knapp	Platt	Steele
Bass	Etsel	La Fetra	Pratt	Stevens
Becker	Evans	La Rue	Prentice	Sullivan
Bedell	Everett	Leggett	Prince	Tenjust
Beebe	Fish	Lewis	Quinn	Thompson G F
Beihliff	Fitzsimons	Machacek	Reeve	Thompson J A
Bird	Foster	Maier	Reilly	Thonet
Brady	Francisco	Malloy	Rigby	Tompkins
Brooks	Freidel	Mathews T F	Rogers	Waddell
Burnett	Fuller	Matthews C R	Rosenstein	Wade
Burzynski	Gardner	McKeown	Salomon	Wadsworth
Byrne	Gates	McManus	Sammon	Wainwright
Cadin	Grady	Mead	Santee	Wedemeyer
Callahan	Grattan	Merritt	Schoeneck	West
Carrier	Gray	Miller	Scovill	Wemple
Caughlan	Gurnett	Monroe	Shanahan	Whitney F G
Charles E E	Hackett	Moreland	Sheehy	Whitney G H
Charles W B	Hammond	Murphy	Sheldon	Wiegand
Cooke	Hanford	Newton	Sherry	Wilsnack
Coon	Hapeman	Ogden	Shuttleworth	Wilson
Cotton	Hartman	O'Neill	Slocum	Wolf
Coutant	Hastings	Palmer	Smith A P	Wood F C
Cowan	Hooker	Parker	Smith A E	Wood F X
Cox	Hooper	Patton	Smith J E	Yale
Cunningham	Hornidge	Pendry	Smith J T	Young
Dale				

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Mr. Rogers moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate was had on said bill, when

Mr. Rogers moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

By unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 98

NOES 47

Those who voted in the affirmative were:

Agnew	Cox	Knapp	Plank	Stevens
Allen F E	Cunningham	La Rue	Platt	Tenjost
Allen J G	Dowling	Leggett	Pratt	Thompson G F
Apgar	Etzel	Lewis	Prentice	Thonet
Bass	Evans	Maier	Réeve	Waddell
Becker	Fish	Matthews C R	Rigby	Wade
Bedell	Francisco	Mead	Rogers	Wadsworth
Beebe	Freidel	Merritt	Santee	Wainwright
*Beihlf	Gardner	Miller	Schoeneck	West
Brady	Gates	Monroe	Scovill	Wemple
Brooks	Grattan	Moreland	Sheldon	Whitney F G
Burnett	Gray	Murphy	Shuttleworth	Whitney G H
Cadin	Hammond	Newton	Slocum	Wilsnack
Callahan	Hanford	Ogden	Smith A P	Wilson
Carrier	Hapeman	O'Neill	Smith J E	Wood F C
Charles E E	Hastings	Parker	Smith J T	Wood F X
Charles W B	Hooker	Patton	Standart	Yale
Coon	Hooper	Pendry	Stanley	Young
Coutant	Hubbs	Perry	Steele	Speaker
Cowan	Hurd	Phillips		

Those who voted in the negative were:

Anderson	Dodd	Hornidge	Prince	Smith A E
Bird	Donovan	Kavanaugh	Quinn	Smith R H
Burns	Ellis	La Fetra	Reilly	Sullivan
Burzynski	Everett	Machacek	Rosenstein	Thompson J A
Byrne	Fitzsimons	Malloy	Salomon	Tompkins
Cahn	Fuller	Mathews T F	Sammon	Wagner
Caughlan	Grady	McKeown	Shanahan	Wedemeyer
Cooke	Gurnett	McManus	Sheehy	Wiegand
Cotton	Hackett	Palmer	Sherry	Wolf
Dale	Hartman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Phillips in the chair.

The Senate bill (No. 1013) entitled "An act to amend the Tax Law in relation to the taxation of debts secured by mortgages" (Rec. No. 237), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading.

By unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final

form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 96

NOES 50

Those who voted in the affirmative were:

Agnew	Cox	Hurd	Plank	Stevens
Allen F E	Cunningham	Knapp	Platt	Tenjust
Allen J G	Dowling	La Rue	Pratt	Thompson G F
Apgar	Etzel	Leggett	Prentice	Thonet
Bass	Evans	Lewis	Reeve	Waddell
Becker	Fish	Maier	Rigby	Wade
Bedell	Foster	Matthews C R	Rogers	Wadsworth
Beebe	Freidel	Mead	Santee	Wainwright
Beihilf	Gardner	Merritt	Schoeneck	West
Brady	Gates	Miller	Scovill	Wemple
Brooks	Grattan	Monroe	Sheldon	Whitney F G
Burnett	Gray	Murphy	Shuttleworth	Whitney G H
Cadin	Hammond	Newton	Slocum	Wilsnack
Callahan	Hanford	Ogden	Smith A P	Wilson
Carrier	Hapeman	O'Neill	Smith J E	Wood F C
Charles E E	Hastings	Parker	Smith J T	Wood F X
Charles W B	Hooker	Patton	Standart	Yale
Coon	Hooper	Perry	Stanley	Young
Coutant	Hubbs	Phillips	Steele	Speaker
Cowan				

Those who voted in the negative were:

Anderson	Dodd	Hartman	Palmer	Sherry.
Bird	Donovan	Hornidge	Pendry	Smith A E
Burns	Ellis	Kavanaugh	Prince	Smith R H
Burzynski	Everett	La Fetra	Quinn	Sullivan
Byrne	Fitzsimons	Machacek	Reilly	Thompson J A
Cahn	Francisco	Malloy	Rosenstein	Tompkins
Caughlan	Fuller	Matthews T F	Salomon	Wagner
Cooke	Grady	McKeown	Sammon	Wedemeyer
Cotton	Gurnett	McManus	Shanahan	Wiegand
Dale	Hackett	Moreland	Sheehy	Wolf

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker in the chair.

The Senate bill (No. 379) entitled "An act to amend the Penal Code, in relation to forging State stamps" (Rec. No. 236), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading.

By unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 97

NOES 45

Those who voted in the affirmative were:

Agnew	Cox	Knapp	Plank	Stevens
Allen F E	Cunningham	La Rue	Platt	Tenjust
Allen J G	Dowling	Leggett	Pratt	Thompson G F
Apgar	Etsel	Lewis	Prentice	Thonet
Bass	Evans	Maier	Reeve	Waddell
Becker	Fish	Matthews C R	Rigby	Wade
Bedell	Foster	Mead	Rogers	Wadsworth
Beebe	Freidel	Merritt	Santee	Wainwright
Beihlf	Gardner	Miller	Schoeneck	West
Brady	Gates	Monroe	Scovill	Wemple
Brooks	Grattan	Moreland	Sheldon	Whitney F G
Burnett	Gray	Murphy	Shuttleworth	Whitney G H
Cadin	Hammond	Newton	Slocum	Wilsnack
Callahan	Hanford	Ogden	Smith A P	Wilson
Carrier	Hapeman	O'Neill	Smith J E	Wood F C
Charles E E	Hastings	Parker	Smith J T	Wood F X
Charles W B	Hooker	Patton	Standart	Yale
Coon	Hooper	Pendry	Stanley	Young
Coutant	Hubbs	Phillips	Steele	Speaker
Cowan	Hurd			

Those who voted in the negative were:

Anderson	Dodd	Hornidge	Prince	Smith A E
Bird	Donovan	Kavanaugh	Quinn	Smith R H
Burns	Ellis	La Fetra	Reilly	Sullivan
Burzynski	Everett	Machacek	Rosenstein	Thompson J A
Byrne	Fitzsimons	Malloy	Salomon	Tompkins
Cahn	Fuller	Mathews T F	Sammon	Wagner
Caughlan	Grady	McKeown	Shanahan	Wedemeyer
Cooke	Gurnett	McManus	Sheehy	Wiegand
Dale	Hackett	Palmer	Sherry	Wolf

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1747) entitled "An act relating to the acquisition of property by the city of New York for a water supply, and providing for prompt payment therefor, and for damages occasioned by the acquisition thereof; providing for use and care of reservoirs owned by said city; and providing for the construction and maintenance of highways and bridges" (Int. No. 1318), having been announced for a second reading,

Mr. Tompkins moved to amend as follows:

Page 2, line 8, after the word "unless" insert the words "ten days."

Same page, line 9, after the word "owner" strike out the words "of ten days."

Same page, line 23, after the word "report" strike out the words "in not more than" and insert in place thereof the word "within."

Page 4, line 13, after the word "such" strike out the words "highways and."

Same page, line 14, after the word "may" strike out the words "have been or."

Same page, line 15, strike out the word "may" at beginning of line.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. Apgar, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 1816) entitled "An act to amend the State Charities Law in relation to the transfer of the duties of the treasurer to the agent of Craig Colony for Epileptics, and to reimbursement for maintenance of inmates of the colony" (Int. No. 1349), was read the second time.

On motion of Mr. Santee, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 639) entitled "An act to create and establish a department of forestry for the planting, transplanting and removal of trees and for caring of same in the city of Buffalo" (Rec. No. 157), having been announced for a second reading,

On motion of Mr. Thompson, said bill was laid aside, retaining its place on the order of second reading.

The Senate bill (No. 588) entitled "An act to amend the charter of the city of New Rochelle in relation to the leasing of certain privileges in Hudson park" (Rec. No. 147), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The bill (No. 1740) entitled "An act to amend the Code of Civil Procedure, relating to actions for partition" (Int. No. 943), having been announced for a third reading,

On motion of Mr. Phillips, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1318) entitled "An act to legalize the action of the biennial town meeting of the town of Lawrence, county of St. Lawrence, in voting upon a town proposition for the purchase of a stone-crushing machine and an engine to operate the same, and authorizing the town board and commissioner of highways in such town to purchase such stone-crushing machine and engine" (Int. No. 1072), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hapeman	Parker	Standart
Allen F E	Cowan	Hastings	Pendry	Stanley
Allen J G	Cunningham	Hooker	Perry	Steele
Anderson	Dale	Hooper	Plank	Stevens
Apgar	Dodd	Hubbs	Platt	Sullivan
Becker	Dowling	Hurd	Pratt	Tenjust
Bedell	Ellis	Kavanaugh	Prince	Thompson J A
Beebe	Etsel	Knapp	Reeve	Thonet
Bird	Everett	La Rue	Reilly	Tompkins

Bisland	Fish	Lewis	Rigby	Waddell
Brady	Fitzsimons	Maier	Rosenstein	Wade
Brooks	Foelker	Malloy	Salomon	Wadsworth
Burns	Foster	Mathews T F	Santee	Wainwright
Burzynski	Freidel	Matthews C R	Schoeneck	Wedemeyer
Byrne	Fuller	McKeown	Scovill	Wemple
Cadin	Gardner	McManus	Sheehy	Whitney F G
Callahan	Gates	Mead	Sheldon	Whitney G H
Carrier	Grady	Miller	Shuttleworth	Wilsnack
Caughlan	Grattan	Monroe	Slocum	Wilson
Charles E E	Gray	Murphy	Smith A E	Wood F C
Charles W B	Gurnett	Nugent	Smith J E	Wood F X
Coon	Hammond	Ogden	Smith J T	Yale
Cotton	Hanford	Palmer	Smith R H	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1789) entitled "An act to amend the State Finance Law, in relation to receipts and expenditures" (Int. No. 741), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooper	Patton	Smith R H
Allen F E	Dodd	Hornidge	Pendry	Standart
Allen J G	Donovan	Hubbs	Perry	Stanley
Apgar	Ellis	Hurd	Phillips	Steele
Bass	Etzel	Knapp	Plank	Stevens
Becker	Everett	La Fetra	Pratt	Sullivan
Bedell	Fish	La Rue	Prentice	Tenjost
Beebe	Fitzsimons	Leggett	Prince	Thompson J A
Beihlf	Foelker	Lewis	Quinn	Thonet
Bird	Foster	Machacek	Reeve	Tompkins
Brady	Francisco	Maier	Rigby	Waddell
Brooks	Freidel	Malloy	Rogers	Wade
Burnett	Fuller	Mathews T F	Rosenstein	Wagner
Burns	Gardner	Matthews C R	Sammon	Wainwright
Burzynski	Gates	McKeown	Santee	Wedemeyer
Cadin	Grady	McManus	Schoeneck	Wemple
Cahn	Grattan	Mead	Scovill	Whitney F G
Callahan	Gray	Merritt	Shanahan	Whitney G H
Carrier	Gurnett	Monroe	Sheehy	Wilsnack
Charles E E	Hackett	Moreland	Sheldon	Wilson
Charles W B	Hammond	Murphy	Sherry	Wolf
Coon	Hanford	Nugent	Shuttleworth	Wood F X
Cotton	Hapeman	Ogden	Smith A P	Yale
Coutant	Hastings	O'Neill	Smith A E	Young
Cox	Hooker	Parker	Smith J E	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 505, Assembly reprint No. 1787) entitled "An act to amend the Code of Civil Procedure, relative to the disclosure of information acquired by physicians and nurses tending to show the commission of crimes of which children under sixteen have been victims" (Rec. No. 117), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hartman	O'Neill	Smith A E
Allen F E	Cunningham	Hastings	Palmer	Smith J T
Allen J G	Dale	Hooker	Parker	Smith R H
Apgar	Dodd	Hooper	Patton	Standart
Bass	Donovan	Hubbs	Pendry	Steele
Becker	Dowling	Hurd	Perry	Stevens
Bedell	Ellis	Kavanaugh	Phillips	Sullivan
Beebe	Etzel	Knapp	Plank	Tenjost
Beihliff	Evans	La Fetra	Platt	Thompson J A
Bird	Everett	La Rue	Pratt	Thonet
Bisland	Fish	Lewis	Prince	Tompkins
Brady	Fitzsimons	Machacek	Quinn	Waddell
Brooks	Foelker	Maier	Reeve	Wade
Burnett	Foster	Malloy	Rigby	Wagner
Burns	Francisco	Mathews T F	Rogers	Wadsworth
Burzynski	Freidel	Matthews C R	Rosenstein	Wainwright
Byrne	Gardner	McKeown	Salomon	West
Cadin	Gates	McManus	Sammon	Wemple
Cahn	Grady	Mead	Santee	Whitney F G
Callahan	Grattan	Merritt	Schoeneck	Whitney G H
Carrier	Gray	Miller	Scovill	Wilsnack
Caughlan	Gurnett	Monroe	Sheehy	Wilson
Charles E E	Hackett	Moreland	Sheldon	Wolf
Cooke	Hammond	Murphy	Sherry	Wood F X
Coon	Hamford	Newton	Slocum	Yale
Cotton	Hapeman	Ogden	Smith A P	Young
Cowan				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The bill (No. 1788) entitled "An act to amend the Military Code, relative to relief from civil or criminal liability, security for and award of costs" (Int. No. 1233), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hubbs	Patton	Smith R H
Allen F E	Dale	Hurd	Pendry	Standart
Allen J G	Dodd	Kavanaugh	Perry	Stanley
Anderson	Dowling	Knapp	Phillips	Steele
Apgar	Ellis	La Fetra	Plank	Stevens
Bass	Etsel	La Rue	Platt	Sullivan
Becker	Evans	Leggett	Pratt	Tenjost
Bedell	Everett	Lewis	Prntice	Thompson G F
Beebe	Fish	Machacek	Prince	Thompson J A
Beihilf	Fitzsimons	Maier	Reeve	Thonet
Bird	Foster	Malloy	Reilly	Tompkins
Bisland	Francisco	Mathews T F	Rigby	Waddell
Brady	Freidel	Matthews C R	Rogers	Wade
Brooks	Fuller	McKeown	Rosenstein	Wagner
Burnett	Gardner	McManus	Sammon	Wadsworth
Burns	Gates	Mead	Santee	Wainwright
Burzynski	Grady	Merritt	Schoeneck	Wedemeyer
Byrne	Gray	Miller	Scovill	West
Cadin	Gurnett	Monroe	Shanahan	Wemple
Cahn	Hackett	Moreland	Sheldon	Whitney G H
Carrier	Hammond	Murphy	Sherry	Wiegand
Caughlan	Hanford	Newton	Shuttleworth	Wilsnack
Charles W B	Hapeman	Nugent	Slocum	Wilson
Cooke	Hartman	Ogden	Smith A P	Wood F C
Coon	Hastings	O'Neill	Smith A E	Wood F X
Cotton	Hooker	Palmer	Smith J E	Yale
Coutant	Hooper	Parker	Smith J T	Young
Cowan	Hornidge			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1405) entitled "An act to authorize the board of estimate and apportionment of the city of New York to audit and allow a sheriff of the county of New York such legal expenses as he may be put to, not exceeding \$5,000 per annum, for

three years after the expiration of his term of office" (Int. No. 76), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hooper	Patton	Smith R H
Allen F E	Dodd	Hornidge	Pendry	Standart
Anderson	Donovan	Hurd	Perry	Stanley
Bass	Dowling	Kavanaugh	Phillips	Steele
Becker	Ellis	La Fetra	Plank	Stevens
Bedell	Etsel	La Rue	Pratt	Tenjost
Beihilf	Everett	Leggett	Prentice	Thompson G F
Bird	Fish	Lewis	Prince	Thompson J A
Bisland	Fitzsimons	Maier	Quinn	Thonet
Brady	Foelker	Malloy	Reeve	Tompkins
Brooks	Foster	Mathews T F	Reilly	Waddell
Burns	Francisco	Matthews C R	Rogers	Wade
Burzynski	Freidel	McKeown	Rosenstein	Wagner
Byrne	Fuller	McManus	Salomon	Wadsworth
Cadin	Gardner	Merritt	Sammon	Wedemeyer
Callahan	Grady	Miller	Santee	West
Carrier	Grattan	Monroe	Scovill	Whitney F G
Caughlan	Gray	Moreland	Shanahan	Whitney G H
Charles W B	Gurnett	Murphy	Sheldon	Wiegand
Cooke	Hackett	Newton	Sherry	Wilsnack
Coon	Hammond	Nugent	Shuttleworth	Wilson
Cotton	Hanford	Ogden	Smith A P	Wood F C
Coutant	Hartman	O'Neill	Smith A E	Wood F X
Cowan	Hastings	Palmer	Smith J E	Yale
Cunningham	Hooker	Parker	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 979) entitled "An act to amend section 888 of the Greater New York charter in relation to the appointment of deputy tax commissioners among the boroughs" (Rec. No. 228), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	Palmer	Smith J E
Allen F E	Cowan	Hooker	Parker	Smith J T
Allen J G	Cunningham	Hooper	Patton	Smith R H
Anderson	Dale	Hornidge	Pendry	Staney
Apgar	Dodd	Hurd	Perry	Steele
Bass	Donovan	Kavanaugh	Phillips	Sullivan
Bedell	Dowling	Knapp	Plank	Tenjost
Beebe	Etzel	La Fetra	Platt	Thompson G F
Beihilf	Evans	La Rue	Pratt	Thonet
Bird	Everett	Leggett	Prince	Waddell
Bisland	Fish	Machacek	Quinn	Wade
Brady	Fitzsimons	Maier	Reeve	Wagner
Burnett	Foster	Malloy	Rigby	Wadsworth
Burns	Francisco	Mathews T F	Rogers	Wainwright
Burzynski	Freidel	Matthews C R	Rosenstein	West
Cadin	Gardner	McKeown	Salomon	Wemple
Cahn	Gates	McManus	Santee	Whitney F G
Callahan	Grady	Mead	Scovill	Whitney G H
Caughlan	Gray	Merritt	Shanahan	Wilsnack
Charles E E	Gurnett	Miller	Sheehy	Wolf
Charles W B	Hammond	Moreland	Sheldon	Wood F C
Cooke	Hanford	Murphy	Shuttleworth	Wood F X
Coon	Hapeman	Nugent	Slocum	Yale
Cotton	Hartman	Ogden	Smith A P	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. F. X. Wood called up Assembly bill No. 1246, entitled "An act to amend the Highway Law, relating to the cutting and removing of weeds and brush and providing for the same when the highway is the boundary line between two or more towns" (Int. No. 849), heretofore recalled from the Governor pursuant to concurrent resolution of the Senate and Assembly.

Mr. F. X. Wood moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hubbs	Perry	Smith R H
Allen F E	Dodd	Hurd	Phillips	Standart
Allen J G	Donovan	Kavanaugh	Plank	Stanley
Anderson	Dowling	Knapp	Platt	Steele
Apgar	Ellis	La Rue	Pratt	Stevens
Bass	Etzel	Leggett	Prentice	Sullivan
Becker	Evans	Lewis	Prince	Tenjost
Bedell	Everett	Machacek	Quinn	Thompson G F
Beihliff	Fish	Maier	Reeve	Thompson J A
Bisland	Fitzsimons	Malloy	Reilly	Tompkins
Brady	Foelker	Mathews T F	Rogers	Waddell
Brooks	Francisco	Matthews C R	Rosenstein	Wade
Burnett	Freidel	McKeown	Salomon	Wadsworth
Burzynski	Fuller	McManus	Sammon	Wainwright
Byrne	Gardner	Mead	Santee	Wedemeyer
Cadin	Grady	Merritt	Schoeneck	West
Cahn	Grattan	Monroe .	Scovill	Wemple
Callahan	Gray	Moreland	Sheehy	Whitney F G
Carrier	Gurnett	Murphy	Sheldon	Whitney G H
Caughlan	Hackett	Newton	Sherry	Wilsnack
Charles W B	Hammond	Nugent	Shuttleworth	Wilson
Cooke	Hanford	O'Neill	Slocum	Wolf
Coon	Hapeman	Palmer	Smith A P	Wood F C
Cotton	Hartman	Parker	Smith A E	Wood F X
Coutant	Hastings	Patton	Smith J E	Yale
Cowan	Hooker	Pendry	Smith J T	Young
Cox	Hooper			

Mr. F. X. Wood moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Page 1, line 1, strike out the word "Subdivision" and insert the word "Section."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hooker, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Hanford offered for the consideration of the House a resolution, in the words following:

Resolved, That William F. Fox, State Superintendent of Forests, be and he hereby is requested to report forthwith to the Assembly a detailed statement of all purchases of Adirondack lands made by the State during the years 1904 and 1905, includ-

ing the number of acres of each purchase and the price paid therefor; also, a detailed statement of such property in the Adirondacks as has been offered for sale to the State during said years, together with the number of acres of each parcel, and the price asked therefor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Rogers offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly Rule No. 21 be and the same hereby is suspended indefinitely.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. F. X. Wood offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1094, entitled "An act to amend chapter 839 of the Laws of 1866, entitled 'An act to consolidate school districts No. 7 and No. 28, in the town of Onondaga, county of Onondaga; and to provide for the organization of a school and academy therein, and to enable the said district to provide the necessary buildings therefor,' relative to the amount of moneys authorized to be raised in said district" (Int. No. 913), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wadsworth offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill No. 587, entitled "An act to amend chapter 260 of the Laws of 1903, entitled 'An act to make the office of sheriff of Livingston county a salaried one in part, and to regulate the management thereof,' in relation to compensation of under sheriff, jailer and attend-

ants and deputy sheriffs" (Int. No. 543), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 591, entitled "An act to amend section 38 of chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle'" (Rec. No. 145), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 290, entitled "An act to authorize the city of Ogdensburg to borrow money for the purpose of erecting, repairing and furnishing school buildings in said city and to issue bonds therefor" (Rec. No. 55), for the purpose of transmitting said bill to the mayor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1094, entitled "An act to amend chapter 839 of the Laws of 1866, entitled 'An act to consolidate school districts No. 7 and No. 28,

in the town of Onondaga, county of Onondaga, and to provide for the organization of a school and academy therein, and to enable the said district to provide the necessary buildings therefor,' relative to the amount of moneys authorized to be raised in said district " (Int. No. 913), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill No. 587, entitled "An act to amend chapter 260 of the Laws of 1903, entitled 'An act to make the office of sheriff of Livingston county a salaried one in part, and to regulate the management thereof,' in relation to compensation of under sheriff, jailer and attendants and deputy sheriffs " (Int. No. 543), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 429, Senate reprint No. 985) entitled "An act making appropriations for the support of government " (Int. No. 418), with a message that the request for a committee of conference thereon was agreed to and that the President has appointed as such committee on the part of the Senate Messrs. Malby, Allds and Foley.

Mr. Speaker appointed as such committee on the part of the Assembly Messrs. Rogers, Plank, Cowan, Phillips and Fuller.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have appointed a committee of conference thereon.

The Senate returned the bill (No. 1770) entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues approaching the bridge over the Gowanus canal at Hamilton avenue, borough of Brooklyn, in the city of New York " (Int. No. 425), with a message that they have reconsidered their vote by which said bill passed, and as amended have again passed the same.

Ordered, That the Clerk deliver said bill to the mayor of the city of New York.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

"An act to authorize the city of Elmira to issue its bonds for the construction of a bridge, or the reconstructing and repairing of an existing bridge across the Chemung river in the city of Elmira." (No. 1623, Int. No. 1045.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Elmira.

"An act to amend section 15 of the Town Law, relating to highway commissioners." (No. 1249, Int. No. 526.)

"An act to amend chapter 142 of the Laws of 1879, entitled 'An act to amend chapter 125 of the Laws of 1842, entitled "An act to condense and amend the several acts relating to the village of Albion," and the several acts amendatory thereof,' generally." (No. 1225, Int. No. 1015.)

"An act to amend the Transportation Corporations Law, in respect to waterworks corporations." (No. 1142, Int. No. 204.)

"An act to validate, legalize and confirm all of the proceedings of the legal voters of school district No. 1 in the town of Palmyra, Wayne county, at a special meeting thereof held on the 28th day of March, 1904, and the action of the board of education of said district prior and subsequent thereto in relation to the erection of an addition to its school building and the issuance and sale of certain bonds of said district." (No. 1500, Int. No. 1191.)

"An act to amend the Lien Law, relative to liens of apartment hotel keepers." (No. 1438, Int. No. 1152.)

"An act to amend the Primary Election Law, relative to the length of time certain papers shall be kept on file by the custodian of primary records." (No. 1242, Int. No. 619.)

"An act to amend the Military Code, relative to pay and allowances." (No. 1596, Int. No. 1241.)

"An act to amend chapter 326 of the Laws of 1895, entitled 'An act to provide for the incorporation of associations for lend-

ing money on personal property, and to forbid certain loans of money, property or credit,' relative to place of incorporation." (No. 1527, Int. No. 951.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to cancel and annul certain unpaid assessments for local improvements affecting property in the city of New York now belonging to the Hebrew Infant Asylum of the city of New York." (No. 1440, Int. No. 1154.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act in relation to certain assessments for local improvements in the city of Syracuse." (No. 1354, Int. No. 915.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

"An act to authorize the commissioners of the sinking fund of the city of New York to change a certain lease made by mayor, aldermen and commonalty of the city of New York, to The Hahnemann Hospital of the city of New York to a grant to the said The Hahnemann Hospital of the city of New York, and to authorize the sale and lease or mortgage of the property covered thereby, by the said The Hahnemann Hospital of the city of New York." (No. 1153, Int. No. 664.)

"An act to authorize the commissioners of the sinking fund of the city of New York to cancel and annul certain assessments affecting property in the city of New York and directing the comptroller to make such assessments accordingly." (No. 753, Int. No. 665.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

"An act to amend the Code of Civil Procedure, relative to serving summons upon telegraph companies." (No. 744, Int. No. 422.)

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, April 5, 1905.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 812, entitled "An act to amend chapter 44 of the Laws of 1853, entitled 'An act for the better support of the poor in the town of Newburgh in the county of Orange,' in relation to the corporate name and terms of the commissioners of the almshouse." (Int. No. 382.)

FRANK W. HIGGINS.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, April 5, 1905.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1094, entitled "An act to amend chapter 839 of the Laws of 1866, entitled 'An act to consolidate school districts No. 7 and No. 28, in the town of Onondaga, county of Onondaga, and to provide for the organization of a school and academy therein, and to enable the said district to provide the necessary buildings therefor,' relative to the amount of moneys authorized to be raised in said district." (Int. No. 913.)

FRANK W. HIGGINS.

A communication was received from Hon. F. T. Coppings, acting mayor of the city of Buffalo, returning Assembly bill No. 1250, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to the public school teachers' retirement fund" (Int. No. 889), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. F. T. Coppings, acting mayor of the city of Buffalo, returning Assembly bill No. 1069, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,'

and the several acts amendatory thereof and supplementary thereto, with reference to the police force" (Int. No. 684), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Alan C. Fobes, mayor of the city of Syracuse, returning Assembly bill No. 1192, entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts relative to the city of Syracuse, and to revise and amend the charter of said city,' relative to ward boundaries" (Int. No. 860), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Alan C. Fobes, mayor of the city of Syracuse, returning Assembly bill No. 1038, entitled "An act in relation to certain assessments for local improvements in the city of Syracuse" (Int. No. 885), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. H. M. Witbeck, mayor of the city of Lockport, returning Assembly bill No. 904, entitled "An act to amend the charter of the city of Lockport, generally" (Int. No. 626), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. William T. Coleman, mayor of the city of Elmira, returning Assembly bill No. 953, entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' in relation to the police force" (Int. No. 580), with a message that

said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Cox gave notice that on Thursday, April 6, he would call up Assembly bill No. 709, entitled "An act to authorize the city of Buffalo to convey by quit-claim deed to the Delaware, Lackawanna and Western Railroad Company and the New York, Lackawanna and Western Railway Company a part of Liberty street in said city" (Int. No. 629), the same having been laid aside on the order of third reading.

Attention being called to an error in printing Senate bill No. 545 (Assembly reprint No. 1845, Rec. No. 113), it was ordered that the State Printer be directed to reprint said bill.

Mr. Rogers moved that all further proceedings under the close call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Rogers, the House adjourned.

THURSDAY, APRIL 6, 1905.

The House met pursuant to adjournment.

Prayer by Rev. John L. Smith, Watervliet.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the bill (No. 1161) entitled "An act to amend chapter 83 of the Laws of 1905, entitled 'An act to provide for an enumeration of the inhabitants of this State, and making an appropriation therefor,' in relation to the items of enumeration and the preparation and filing of election district boundaries" (Rec. No. 245), which was read the first time.

On motion of Mr. Rogers, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill No. 1161, entitled "An act to amend chapter 83 of the Laws of 1905, entitled 'An act to provide for an enumeration of the inhabitants of this State, and making an appropriation therefor,' in relation to the items of enumeration and the preparation and filing of election district boundaries." (Int. No. 869.)

Given under my hand and the privy seal of the State at the Capitol in the city of Albany this sixth day of
[L. s.] April, in the year of our Lord one thousand nine hundred and five.

FRANK W. HIGGINS.

By the Governor:

FRANK E. PERLEY,
Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hornidge	Pendry	Standart
Allen F E	Cunningham	Hurd	Perry	Stanley
Allen J G	Dale	Kavanaugh	Phillips	Steele
Apgar	Dodd	La Fetra	Plank	Stevens
Bass	Dowling	La Rue	Platt	Sullivan
Becker	Ellis	Leggett	Pratt	Tenjost
Bedell	Etzel	Machacek	Prince	Thompson G F
Beebe	Evans	Malloy	Quinn	Thonet
Beihilf	Everett	Mathews T F	Reeve	Tompkins

Bisland	Fish	Matthews C R	Reilly	Waddell
Brady	Fitzsimons	McKeown	Rogers	Wade
Brooks	Foster	McManus	Rosenstein	Wagner
Burnett	Freidel	Mead	Salomon	Wainwright
Burns	Fuller	Miller	Sammon	Wedemeyer
Burzynski	Gardner	Monroe	Santee	Wemple
Byrne	Gates	Moreland	Seovill	Whitney F G
Cahn	Grady	Murphy	Shanahan	Whitney G H
Callahan	Grattan	Newton	Sheehy	Wilsnack
Carrier	Gurnett	Nugent	Sherry	Wilson
Caughlan	Hammond	Ogden	Shuttleworth	Wolf
Charles E E	Hanford	O'Neill	Slocum	Wood F C
Charles W B	Hapeman	Palmer	Smith A E	Wood F X
Cooke	Hastings	Parker	Smith J E	Yale
Cotton	Hooper	Patton	Smith R H	Young
Coutant				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the city of Buffalo to convey by quit-claim deed to the Delaware, Lackawanna and Western Railroad Company and the New York, Lackawanna and Western Railway Company a part of Liberty street in said city" (Rec. No. 246), which was read the first time.

On motion of Mr. Cox, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Cox, and by unanimous consent, said bill was substituted for Assembly bill No. 709, Int. No. 629, same title and subject, now on the order of third reading.

On motion of Mr. Cox, and by unanimous consent, said Senate bill was ordered placed on the third reading calendar for Friday next.

"An act to prevent the construction, operation and maintenance of any further railroads in the State road known as the Buffalo and White's Corners plankroad in Erie county" (No. 998, Rec. No. 247), which was read the first time.

On motion of Mr. G. F. Thompson, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. G. F. Thompson, and by unanimous consent, said bill was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

Agnew	Coon	Hornidge	Perry	Stevens
Allen F E	Cotton	Hurd	Plank	*Sullivan
Allen J G	Coutant	Knapp	Pratt	Thompson G F
Anderson	Cox	La Rue	Prentice	Thonet
Bass	Cunningham	Lewis	Quinn	Tompkins
Becker	Dodd	Maier	Rigby	Waddell
Bedell	Donovan	Malloy	Rogers	Wade
Beebe	Ellis	Matthews C R	Salomon	Wagner
Beihlf	Evans	McKeown	Santee	Wadsworth
Bisland	Fish	Mead	Schoeneck	Wedemeyer
Brady	Fitzsimons	Merritt	Scovill	West
Brooks	Foster	Miller	Sheehy	Wemple
Burns	Francisco	Moreland	Sherry	Whitney F G
Burzynski	Fuller	Murphy	Shuttleworth	Whitney G H
Cadin	Gates	Newton	Slocum	Wilsnack
Cahn	Gray	Ogden	Smith A P	Wilson
Callahan	Hammond	O'Neill	Smith J E	Wood F C
Caughlan	Hanford	Parker	Smith J T	Wood F X
Charles E E	Hartman	Patton	Smith R H	Yale
Cooke	Hooker	Pendry	Standart	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend section 220 of the Code of Civil Procedure relative to the designation of justices of the Appellate Division, and the times when such designations shall take effect" (No. 1020, Rec. No. 248), which was read the first time and referred to the committee on codes.

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," and to consolidate therewith the several acts in relation to the charter of said

city' ” (No. 1059, Rec. No. 249), which was read the first time and referred to the committee on affairs of cities.

“An act to amend section 62 of the Public Lands Law, relating to releases of escheated lands by the Commissioners of the Land Office ” (No. 1034, Rec. No. 250), which was read the first time and referred to the committee on claims.

“An act to amend the Election Law, relative to the holding of primaries ” (No. 1035, Rec. No. 251), which was read the first time and referred to the committee on the judiciary.

“An act to incorporate the Staten Island Association of Arts and Sciences and to provide for the care and housing of its museum and library by the city of New York ” (No. 929, Rec. No. 252), which was read the first time and referred to the committee on affairs of cities.

“An act to amend chapter 386 of the Laws of 1888, as amended by chapter 473 of the Laws of 1900, entitled ‘An act to authorize the city of Yonkers to issue bonds for the purpose of raising money to construct bridges over watercourses in said city’ ” (No. 866, Rec. No. 253), which was read the first time and referred to the committee on affairs of cities.

“An act authorizing the city of New York to grant to the Harlem River and Port Chester Railroad Company, land in Pelham Bay park and the Bronx and Pelham parkway, for its corporate purposes ” (No. 1043, Rec. No. 254), which was read the first time and referred to the committee on railroads.

“An act to amend chapter 818 of the Laws of 1868, entitled ‘An act to incorporate the village of Port Chester’ ” (No. 1027, Rec. No. 255), which was read the first time and referred to the committee on affairs of villages.

“An act for the relief of Kensico cemetery ” (No. 964, Rec. No. 256), which was read the first time and referred to the committee on general laws.

“An act to provide for the payment of expenses of members of special committees of the board of supervisors of Oneida county ” (No. 643, Rec. No. 257), which was read the first time and referred to the committee on internal affairs.

"An act to amend an act entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals, being chapter 580 of the Laws of 1902,' to authorize the formation of an appellate term in the second judicial department, to appoint clerks and attendants, and to provide for the expenses thereof " (No. 963, Rec. No. 258), which was read the first time and referred to the committee on the judiciary.

"An act to prevent the establishment or extension of cemeteries in the county of Kings " (No. 662, Rec. No. 259), which was read the first time and referred to the committee on general laws.

"An act to amend section 256 of the Greater New York charter, relating to a first assistant corporation counsel " (No. 1061, Rec. No. 260), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 1 of chapter 597 of the Laws of 1902, entitled 'An act authorizing the appointment of a confidential attendant by the justices of the Supreme Court designated to the Appellate Division of the Second Department or a majority of them ' " (No. 803, Rec. No. 261), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the position of storekeeper in the fire department of said city " (No. 1062, Rec. No. 262), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the board of estimate and apportionment of the city of New York, to release the interest of the city of New York, in and to certain lands in the borough of Brooklyn in said city " (No. 1089, Rec. No. 263), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Military Code relative to relief from civil or criminal liability, security for and award of costs " (No. 915, Rec. No. 264), which was read the first time and referred to the committee on military affairs.

"An act to amend section 43 of chapter 568 of the Laws of

1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws' " (No. 316, Rec. No. 265), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter 537 of the Laws of 1893, entitled 'An act providing for ascertaining and paying the amount of damages to lands and buildings, suffered by reason of change of grade of streets or avenues, made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York or otherwise,' as amended by chapter 567 of the Laws of 1894, entitled 'An act to amend chapter 537 of the Laws of 1893, entitled "An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of change of grade of streets or avenues, made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York or otherwise,"' relative to damages caused by change of grade in the borough of the Bronx (formerly the Twenty-third and Twenty-fourth wards), of the city of New York, by permitting the filing of additional claims, under the provisions of said chapter 537 of the Laws of 1893 as amended by chapter 567 of the Laws of 1894, and to extend the time for filing such claims, and for the appointment of commissioners of appraisal " (No. 961, Rec. No. 266), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 6 of chapter 598 of the Laws of 1881, entitled 'An act to incorporate the New York Building and Improvement Company' " (No. 1025, Rec. No. 267), which was read the first time and referred to the committee on the judiciary.

"An act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots and erecting, completing and enlarging school buildings " (No. 601, Rec. No. 268), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Navigation Law, relative to fees for inspections and licenses" (No. 880, Rec. No. 269), which was read the first time and referred to the committee on commerce and navigation.

"An act to provide that the fire commissioner of the city of New York, in his discretion, may reappoint in the department Robert J. Sweeney, who resigned from the department November 4, 1902" (No. 585, Rec. No. 270), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Primary Election Law by abolishing special enrollments in cities of the second class" (No. 440, Rec. No. 271), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 346 of the Laws of 1897, entitled 'An act creating the office of commissioner of jurors for each of the counties of the State of New York, having a population of more than 200,000 and less than 300,000,' as amended by chapter 565 of the Laws of 1900, chapter 377 of the Laws of 1901, and chapter 408 of the Laws of 1902, relative to lists and qualifications of jurors and compensation" (No. 817, Rec. No. 272), which was read the first time and referred to the committee on the judiciary.

"An act to authorize the Supreme Court to hear and determine any application made to revise and correct the first separate report of the commissioners of appraisal appointed in proceedings instituted by the city of New York to acquire title to lands for St. Nicholas park and to grant in respect thereto such relief as may be just and equitable" (No. 956, Rec. No. 273), which was read the first time and referred to the committee on the judiciary.

"An act to authorize the New York State Convention of Universalists to sell and convey property owned by it on Hoffman street, in the borough of the Bronx, in the city of New York" (No. 953, Rec. No. 274), which was read the first time and referred to the committee on charitable and religious societies.

"An act to amend the Tax Law in relation to proceedings or suits brought to collect personal taxes in arrears" (No. 423, Rec. No. 275), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to amend chapter 238 of the Laws of 1871, entitled 'An act to provide for the payment of the crier and attendants of the Court of Appeals,' relating to the appointment of a law clerk and a confidential clerk to the chief judge of such court" (No. 966, Rec. No. 276), which was read the first time and referred to the committee on the judiciary.

Mr. Burnett introduced a bill entitled "An act to amend the Liquor Tax Law in relation to special deputy commissioners and compensation of county treasurers" (Int. No. 1418), which was read the first time and referred to the committee on excise.

Mr. Fitzsimons introduced a bill entitled "An act to amend the Penal Code by adding thereto another section to be known as section 407-b" (Int. No. 1419), which was read the first time and referred to the committee on codes.

Mr. Burnett introduced a bill entitled "An act to amend 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws'" (Int. No. 1420), which was read the first time and referred to the committee on excise.

Also, a bill entitled "An act to amend the Liquor Tax Law in relation to the definition of trafficking in liquors" (Int. No. 1421), which was read the first time and referred to the committee on excise.

Mr. Hubbs introduced a bill entitled "An act to amend chapter 130 of the Laws of 1897, entitled 'An act to provide for the application and distribution of receipts from premiums collected and to be collected from foreign fire insurance companies doing business in the State under and pursuant to chapter 604 of the Laws of 1886, on insurance on property in the village of Patchogue, Suffolk county,' in relation to the custody and disposition of such receipts" (Int. No. 1422), which was read the first time and referred to the committee on insurance.

Mr. Miller introduced a bill entitled "An act to regulate the procurement and enforcement of orders or contracts for advertisements in directories, books and magazines and to prevent the fraudulent alteration of any such orders or contracts" (Int. No. 1423), which was read the first time and referred to the committee on the judiciary.

Mr. C. R. Matthews introduced a bill entitled "An act to amend the Code of Criminal Procedure, relative to the jurisdiction of courts of special sessions" (Int. No. 1424), which was read the first time and referred to the committee on codes.

Mr. Knapp introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the widow of Dennis O'Brien against the State of New York for damages alleged to have been sustained by the killing of Dennis O'Brien, during the year 1893" (Int. No. 1425), which was read the first time and referred to the committee on claims.

Mr. Apgar introduced a bill entitled "An act providing for the commitment of persons suffering from alcoholism to certain institutions, and for their maintenance therein" (Int. No. 1426), which was read the first time and referred to the committee on the judiciary.

Mr. Burzynski introduced a bill entitled "An act giving the city of Buffalo additional power to abate floods in Buffalo river and Cazenovia creek, and to put the Buffalo river in navigable condition, and to acquire lands by purchase or by eminent domain proceedings, and requiring the construction of bridges over said Buffalo river and Cazenovia creek, and providing for the issue of bonds, and for the raising of money by general and local taxation to pay the expense of said work or improvement" (Int. No. 1427), which was read the first time and referred to the committee on railroads.

Mr. Sheldon introduced a bill entitled "An act amending chapter 29 of the general laws, being the Public Health Law, and acts amendatory thereto relating to public water supplies" (Int. No.

1428), which was read the first time and referred to the committee on public health.

Also, a bill entitled "An act amending chapter 21 of the general laws, being the Village Law, and acts amendatory thereto, relating to the establishment of sewer systems" (Int. No. 1429), which was read the first time and referred to the committee on affairs of villages.

Also, a bill entitled "An act to improve the character of public water systems throughout the State by requiring that plans for such systems shall be examined and approved by the State Commissioner of Health" (Int. No. 1430), which was read the first time and referred to the committee on public health.

Mr. Wilsnack introduced a bill entitled "An act in relation to electric railroads on Atlantic avenue in the counties of Kings or Queens" (Int. No. 1431), which was read the first time and referred to the committee on railroads.

By unanimous consent,

Mr. McKeown introduced a bill entitled "An act to amend the Greater New York charter, relative to the supply of patented articles" (Int. No. 1432), which was read the first time.

On motion of Mr. McKeown, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Dowling introduced a bill entitled "An act to permit the city of New York to acquire lands in Lincoln cemetery in the borough of Brooklyn, city of New York, for highway or park purposes and to permit said cemetery to locate elsewhere" (Int. No. 1433), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Dowling introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William D. Hudson, for salary alleged to be due him as Deputy State Factory Inspector, and to render judgment

therefor" (Int. No. 1434), which was read the first time and referred to the committee on claims.

By unanimous consent,

Mr. Moreland introduced a bill entitled "An act to authorize the common council of the city of Elmira to change the course of Badger creek in said city" (Int. No. 1435), which was read the first time.

On motion of Mr. Moreland, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

Mr. Rogers, from the committee on ways and means, reported by bill entitled "An act making appropriations for construction, additions and improvements at the State hospitals for the insane, and for the construction of a reception hospital in the city of New York" (Int. No. 1436), which was read the first time. Said committee reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered printed and placed on the order of second reading.

Mr. Rogers, from the committee on ways and means, to which was referred the bill introduced by Mr. Patton, Int. No. 1286, entitled "An act making a reappropriation for the improvement of the canals" (No. 1666), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

On motion of Mr. Patton, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Patton, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 94

NOES 17

Those who voted in the affirmative were:

Allen F E	Dodd	Hastings	Patton	Sullivan
Allen J G	Dowling	Hornidge	Pendry	Tenjost
Bedell	Etzel	Hubbs	Perry	Thompson G F
Beebe	Evans	Hurd	Plank	Thonet
Bird	Fish	La Fetra	Prentice	Tompkins
Brooks	Fitzsimons	La Rue	Prince	Wagner
Burzynski	Foelker	Leggett	Reeve	Wainwright
Cadin	Foster	Lewis	Reilly	Whitney G H
Cahn	Francisco	Malloy	Rigby	Wiegand
Callahan	Fuller	Mathews T F	Sammon	Wilsnack
Caughlan	Gardner	McKeown	Shuttleworth	Wilson
Charles W B	Grattan	Murphy	Smith A E	Wolf
Coon	Hackett	Newton	Smith J E	Wood F C
Cotton	Hammond	Nugent	Standart	Yale
Coutant	Hapeman	Ogden	Steele	Young
Cox	Hartman	O'Neill	Stevens	

Those who voted in the negative were:

Carrier	Hanford	Pratt	Sheldon	Wade
Charles E E	Knapp	Rogers	Slocum	West
Cooke	Maier	Santee	Smith J T	Wood F X
Cowan	Phillips			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Rogers, from the committee on ways and means, to which was referred the bill introduced by Mr. Wainwright, Int. No. 1346, entitled "An act to amend chapter 673 of the Laws of 1904, entitled 'An act to provide for the erection of a suitable monument to commemorate the services of the Fifth Regiment, New York State Volunteer Infantry (Duryee's Zouaves), who were engaged in the battle of Second Bull Run or Manassas Plains, Virginia, and making an appropriation therefor'" (No. 1813), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Rogers, from the committee on ways and means, to which was referred the bill introduced by Mr. Rogers, Int. No. 735, entitled "An act making an appropriation for the several State prisons, the Eastern New York Reformatory, the Matteawan State Hospital for Insane Criminals and the Dannemora State

Hospital for Insane Convicts" (No. 834), reported in favor of the passage of the following substitute bill:

AN ACT making appropriations for repairs, renewals and betterments for the several state prisons, the Eastern New York reformatory, the Matteawan state hospital for insane criminals and the Dannemora state hospital for insane convicts.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The several amounts hereinafter named, or so much thereof as may be necessary, are hereby appropriated for the several purposes at the respective institutions hereinafter specified, the same to be expended under the direction of the superintendent of state prisons, namely:

CLINTON PRISON.

For concrete floor in west hall, one thousand dollars (\$1,000).

For rewiring electric plant, one thousand two hundred dollars (\$1,200).

For grading about new building, one thousand five hundred dollars (\$1,500).

AUBURN PRISON.

For ventilating kitchen and cell halls, three thousand dollars (\$3,000).

For sprinklers in shops, two thousand dollars (\$2,000).

For dynamo and electrical repairs, one thousand five hundred dollars (\$1,500).

For new floor in north wing cell hall, one thousand five hundred dollars (\$1,500).

SING SING PRISON.

For building for condemned prisoners, for plumbing and grading, eight thousand dollars (\$8,000).

For heating system, six thousand dollars (\$6,000).

For lighting system, two thousand dollars (\$2,000).

For furnishing, one thousand eight hundred dollars (\$1,800).

For rebuilding visiting room, and providing visiting stalls, one thousand dollars (\$1,000).

MATTEAWAN STATE HOSPITAL.

For piping and plumbing renewals, three thousand dollars (\$3,000).

For electric lighting and rewiring, two thousand five hundred dollars (\$2,500).

For reflooring and finishing, one thousand two hundred dollars (\$1,200).

For furniture and bedding, two thousand dollars (\$2,000).

For operating room and equipment, seven hundred fifty dollars (\$750).

For fencing, five hundred dollars (\$500).

DANNEMORA STATE HOSPITAL.

For grading, five hundred dollars (\$500).

For fences, five hundred dollars (\$500).

For furniture, nine hundred dollars (\$900).

EASTERN NEW YORK REFORMATORY.

For trade shool and shop building, thirty-five thousand dollars (\$35,000).

For grading and improving grounds, one thousannd dollars (\$1,000).

For painting, five hundred dollars (\$500).

For furnishing and equipping physician's office, one hundred fifty dollars (\$150).

For two boilers, three thousand dollars (\$3,000).

For further construction of yard wall, five thousand dollars (\$5,000).

For furnishing and equipping storehouse, eight hundred fifty dollars (\$850).

For furnishing mess hall and kitchen, two thousand dollars (\$2,000).

STATE PRISON FOR WOMEN.

For hennery, two hundred fifty dollars (\$250).

For greenhouse, five hundred dollars (\$500).

For repairs to sewers and main arch, one thousand eight hundred dollars (\$1,800).

For metal ceilings, one thousand dollars (\$1,000).

For painting and papering, seven hundred dollars (\$700).

For two kitchen ranges, one hundred dollars (\$100).

§ 2. No part of the several sums appropriated shall be available for any construction unless a contract or contracts shall have first been made for the completion of such construction as the state architect and superintendent of state prisons may decide cannot be advantageously done by convict labor, and the perform-

ance of said contract secured by satisfactory bond approved by the comptroller, or until the state architect certifies to the comptroller that in his judgment the balance of the several items of construction herein provided for can be completed by the use of convict labor within the appropriations therefor.

§ 3. This act shall take effect immediately.

JAMES T. ROGERS,
Chairman.

Which report was agreed to and said substitute bill ordered printed and placed on the order of second reading.

Mr. Rogers, from the committee on ways and means, to which was referred the Senate concurrent resolution, introduced by Mr. Armstrong, Rec. No. 106, entitled "Concurrent resolution proposing amendment to article 7 of the Constitution, relating to improvement of highways" (No. 163), reported in favor of the passage of the same without amendment, which report was agreed to and said resolution placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the concurrent resolution introduced by Mr. Agnew, Int. No. 500, entitled "Concurrent resolution proposing amendment to section 1 of article 2 of the Constitution relating to qualification of voters" (No. 550), reported the same with the following amendment, and request that said bill be recommitted to said committee:

Page 2, line 11, after the word "reside" insert the following:

"Resolved (if the Senate concur), That the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and in conformity with section one of article fourteen of the constitution, be published for three months previous to the time of such election."

ROBERT J. FISH,
Chairman.

Which report was agreed to and said concurrent resolution ordered reprinted and recommitted to said committee.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. R. H. Smith, Int. No. 1246, entitled "An act to amend chapter 580 of the Laws of 1902,

entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to practice in such courts" (No. 1601), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 2, line 25, after the word "paid" insert a bracket.

Same page, line 26, after the word "tried" strike out the bracket.

ROBERT J. FISH,
Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cox, Int. No. 1120, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof and supplementary thereto, in relation to the common council and to the nomination and election of members thereof" (No. 1396), reported in favor of the passage of the same with the following amendments:

Page 2, strike out lines 1, 2 and 3 and substitute the words "the term of four years, except as hereinafter provided. The first election of councilmen shall take place at the general municipal election to be held in the year nineteen hundred and seven. At that election fifteen councilmen shall be elected. Eight of said councilmen shall be nominated and elected for the term of four years, and seven of said councilmen shall be nominated and elected for the term of two years. At the general municipal election to be held in the year nineteen hundred and nine seven councilmen shall be nominated and elected for the term of four years. At the general municipal election to be held in the year nineteen hundred and eleven, eight councilmen shall be elected for the term of four years, and thereafter at the general municipal election held in each odd-numbered year, there shall be elected alternately seven and eight councilmen, respectively, for the term of four years."

Page 3, line 17, strike out the word "fifteen" and substitute therefor the words "the number to be elected at the next ensuing general election."

Page 4, line 1, strike out the word "fifteen."

Same page, line 3, after the word "councilmen" insert the words "to the number to be elected at the next ensuing general election."

Page 7, line 7, strike out the word "enforced" and insert instead thereof the words "in force."

Page 13, line 25, strike out the word "required" and insert in its place the word "returned."

Page 29, strike out lines 23 and 24 and insert the words "on the thirty-first day of December, nineteen hundred and seven."

Page 30, line 1, strike out the word "six" and substitute therefor the word "eight."

Page 35, line 17, strike out the word "six" and insert in its place the word "eight."

Page 36, line 16, strike out the word "six" and insert instead thereof the word "eight."

Page 37, strike out lines 6, 7, 8 and 9 and substitute therefor the following:

"§ 37. Except as provided in this section, this law shall not take effect until it shall at the general municipal election to be held in the year nineteen hundred and five, have been submitted to the people of said city and have received a majority of all the votes cast for and against it at such election. It shall be the duty of the commissioner of elections in the county of Erie to provide the ballots and place them in proper form upon the voting machines for the use of the voters at such general municipal election. Such ballots shall be in the form prescribed by the election law and the proposition or question to be submitted shall be printed thereon in substantially the following form, namely: 'Shall chapter (here insert the number of this chapter) of the laws of nineteen hundred and five, amending the city charter in relation to the common council and to the nomination and election of members thereof, be approved?' It shall be the duty of the commissioner of elections in the county of Erie to publish the foregoing question in the newspapers of the city of Buffalo, in connection with the publication of the regular election notices, under the heading 'question to be submitted to the people in relation to the common council of the city of Buffalo.'

"§ 38. Section thirty-seven of this act shall take effect immediately. If this law shall be approved by the people of the city of Buffalo at the general municipal election to be held in

the year nineteen hundred and five, as provided in section thirty-seven hereof, then sections one, two and three of this act shall take effect on the first day of January, nineteen hundred and seven, and the remainder of this act shall take effect on the first day of January, nineteen hundred and eight."

JEAN L. BURNETT,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Dowling, Int. No. 1363, entitled "An act to amend section 2510 of the Code of Civil Procedure in relation to the examination of the witnesses to wills" (No. 1830); reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the Senate bill introduced by Mr. Cooper, Rec. No. 153, entitled "An act to amend section 359 of the Code of Civil Procedure, relative to stenographer for county court of Kings county" (No. 524), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Wainwright, Int. No. 1275, entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester'" (No. 1655), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Sheldon, Int. No. 1334, entitled "An act to authorize the board of trustees of the village of Salamanca, Cattaraugus county, to appoint a board of water commissioners" (No. 1784), retaining its place on the order of third reading, reported in favor of the passage of the same with-

out amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Wainwright, Int. No. 856, entitled "An act to authorize the board of trustees of the village of White Plains to appoint an assessor and prescribe manner of collecting tax" (No. 997), reported in favor of the passage of the same with the following amendments:

Page 2, line 4, beginning with the word "such" strike out all down to and including the words "White Plains" in line 5.

Same page, line 21, insert after the word "assessment" the words "The board of trustees shall have power to equalize the assessments and for that purpose may raise or lower the assessed value of any property on said assessment roll."

A. B. STEELE,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Apgar, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. Maier, Int. No. 1156, entitled "An act to regulate the price of illuminating gas in the villages of Seneca Falls and Waterloo, Seneca county, N. Y." (No. 1442), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Apgar, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. Leggett, Int. No. 974, entitled "An act to amend chapter 722 of the Laws of 1894, entitled 'An act to incorporate the Niagara, Lockport and Ontario Power Company,' relative to limiting the amount of water to be taken from the Niagara river, requiring the company to furnish electric power to consumers at fixed rates, extending the territory in which power may be sold, defining its powers of condemnation, striking out the right to sell water for municipal purposes, removing limitation of capital stock, authorizing changes in the number of directors, conforming the act in certain

particulars to the general laws of the State and otherwise" (No. 1172), reported in favor of the passage of the same with the following amendments:

Page 7, line 19, after the word "feet" insert the words "of which water an amount sufficient to generate not less than one hundred thousand such horsepower shall be taken for development of power within the city or town of Lockport, Niagara county."

Page 9, lines 19 and 20, strike out the brackets and insert in place thereof parenthesis.

Page 10, line 4, after the word "condemnation" insert the words "any public park or lands or waters of the Erie canal; nor shall it take or acquire by condemnation;" also, after the word "any" insert the words "public highway or."

Same page, line 7, change the word "restriction" to "restrictions," and after the word "restrictions" insert a comma and the word "exceptions."

E. S. HANFORD,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Yale, from the committee on labor and industries, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 223, entitled "An act to amend the Labor Law relating to the protection of persons employed on buildings in cities" (No. 1010), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. McKeown, Int. No. 993, entitled "An act to grant, give and release unto John Unterreiner, all the right, title and interest of the people of the State of New York, in, of and to all the real and personal property, which were of John E. Hughes, late of the borough of Brooklyn, city and State of New York, deceased" (No. 1204), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was re-

ferred the bill introduced by Mr. Evans, Int. No. 1096, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Brown against the State of New York for damages to the canal boat Maggie Mills at the city of Utica, on or about the 25th day of June, 1903" (No. 1347), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Hammond, Int. No. 1199, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Syracuse against the State for unpaid assessments for local improvements charged by said city against the State on account of lands owned by it within said city and for the amount alleged to be due thereon and to render judgment therefor" (No. 1533), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Callahan, Int. No. 1313, entitled "An act to release to Walter Miller and Mary J. Miller, his wife, all the right, title and interest of the people of the State of New York in and to certain real estate" (No. 1743), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Young, Int. No. 1325, entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of Frank Rubano, an infant, by Felide Rubano, his guardian ad litem, against the State, for damages for personal injuries sustained by said infant in being run over by a horse and ambulance wagon attached to one of the public hospitals in the borough of Manhattan, city of New York" (No. 1776), reported in favor of the passage of the same with-

out amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Grattan, Int. No. 1364, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William Hill against the State of New York for salary due him for services rendered to the State of New York while employed as purchasing steward's clerk in the office of Mr. F. A. Wheeler, purchasing steward for the Long Island and Manhattan State Hospital, under civil service appointment" (No. 1862), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. McManus, Int. No. 1302, entitled "An act to release to Francis Neher all the right, title and interest of the people of the State of New York in and to certain real estate situated in the Twenty-second ward of the city and county and State of New York, acquired by escheat or otherwise" (No. 1709), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Rigby, Int. No. 1269, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the owners of certain lands in Township No. 5, Brown's Tract, Herkimer county, against the State for damages alleged to have been sustained by them, and to render judgment therefor" (No. 1650), reported in favor of the passage of the same with the following amendment:

Page 2, line 9, beginning with the word "no" strike out all down to and including the word "act" in line 20 and insert the following:

"§ 2. Nothing in this act shall be construed as passing upon the merits of this claim or assuming liability on the part of the state, nor as debarring the state from interposing any legal or

equitable defense to the alleged claim or any part thereof; and no award shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability were the same established by evidence in a court of law or equity against an individual or corporation nor unless said claim shall be filed with the court of claims within one year from the passage of this act."

ROBERT LYNN COX,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Fish, Int. No. 1053, entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of John P. Smith against the State of New York for damages alleged to have been sustained by him by injuries to his canal boats at the Fort Herkimer lock No. 41 on the Erie canal, on or about the 5th of May, 1903" (No. 1299), reported in favor of the passage of the same with the following amendment:

Page 2, beginning with the word "not," on line 3, strike out all down to and including the word "limitation" on line 10 and insert the following:

"§ 2. Nothing in this act shall be construed as passing upon the merits of this claim or assuming liability on the part of the state, nor as debarring the state from interposing any legal or equitable defense to the alleged claim or any part thereof; and no award shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability were the same established by evidence in a court of law or equity against an individual or corporation nor unless said claim shall be filed with the court of claims within one year from the passage of this act."

ROBERT LYNN COX,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Fish, Int. No. 1052, entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of Thomas Clark against the State of New York for damages alleged to have been sustained by him by injuries to his canal boat at lock No. 64 on the Erie canal, on or about August 20, 1903 " (No. 1298), reported in favor of the passage of the same with the following amendment:

Page 2, line 4, beginning with the word "no" strike out all down to and including the word "claim" on line 14 and insert the following:

"§ 2. Nothing in this act shall be construed as passing upon the merits of this claim or assuming liability on the part of the state, nor as debarring the state from interposing any legal or equitable defense to the alleged claim or any part thereof; and no award shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability were the same established by evidence in a court of law or equity against an individual or corporation nor unless said claim shall be filed with the court of claims within one year from the passage of this act."

ROBERT LYNN COX,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. G. H. Whitney, Int. No. 1267, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Flynn against the State for damages alleged to have been sustained by him, and to render judgment therefor" (No. 1648), reported in favor of the passage of the same with the following amendment:

Page 2, beginning with the word "no," in line 5, strike out all down to and including the word "act" in line 15 and insert the following:

"§ 2. Nothing in this act shall be construed as passing upon

the merits of this claim or assuming liability on the part of the state, nor as debarring the state from interposing any legal or equitable defense to the alleged claim or any part thereof; and no award shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability were the same established by evidence in a court of law or equity against an individual or corporation nor unless said claim shall be filed with the court of claims within one year from the passage of this act."

ROBERT LYNN COX,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Pratt, Int. No. 214, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James W. Watts against the State of New York for damages alleged to have been sustained by him and to render judgment therefor" (No. 214) reported in favor of the passage of the same with the following amendment:

Page 2, line 4, beginning with the word "no" strike out all down to and including the word "act" on line 13 and insert the following:

"§ 2. Nothing in this act shall be construed as passing upon the merits of this claim or assuming liability on the part of the state, nor as debarring the state from interposing any legal or equitable defense to the alleged claim or any part thereof; and no award shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability were the same established by evidence in a court of law or equity against an individual or corporation nor unless said claim shall be filed with the court of claims within one year from the passage of this act."

ROBERT LYNN COX,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the Senate bill introduced by Mr. Carpenter, Rec. No. 185, entitled "An act to release to Louisa Walters, widow of William Walters, all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the town of North Castle, county of Westchester, State of New York, acquired by escheat or otherwise, upon the death of the said William Walters" (No. 93), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the Senate bill introduced by Mr. Fitzgerald, Rec. No. 211, entitled "An act to release to Philip Schwendeman, Andrew Schwendeman, Caroline Schwendeman, Christina Susana Schwendeman, August Schwendeman, Louis Schwendeman, Philip Schwebius and Annie Schwebius, heirs at law of Andreas Schwendeman, deceased, all the right, title and interest of the people of the State of New York, in and to certain real estate, situate in the city, county and State of New York, known as No. 609 East Fourteenth street, borough of Manhattan, in said city, of which Frederick Pauss died seized, acquired by escheat or otherwise, upon the death of Frederick Pauss" (No. 886), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the Senate bill introduced by Mr. Cassidy, Rec. No. 151, entitled "An act to release the interest of the people of the State of New York, in certain real estate in the city and county of New York, State of New York to Raoul Dupuy, Marie Bazian (nee Marie Dupuy), Josephe Despeyroux Paris, Eleonore Despeyroux Lâmarque, Julienne Despeyroux, Marie Pauline Basso and Alexandre Basso, and to their heirs and assigns forever" (No. 770), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hammond, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

“An act to amend the Public Health Law, relative to the manufacture and sale of patent or proprietary medicines. (No. 1844, Int. No. 159.)

“An act to amend the Liquor Tax Law, relative to the submission of questions as to the sale of liquors in residence districts in certain cities and villages.” (No. 141, Int. No. 141.)

“An act to amend the State Charities Law in relation to the transfer of the duties of the treasurer to the agent of Craig Colony for Epileptics, and to reimbursement for maintenance of inmates of the colony.” (No. 1816, Int. No. 1349.)

“An act extending the powers of the trustees of the Thousand Island Park Association, and to regulate and control the construction and repair of sidewalks upon the roads, streets and avenues of said association.” (No. 1869, Rec. No. 165.)

“An act to amend the Greater New York charter, in relation to the appointment of patrolmen.” (No. 1815, Int. No. 1348.)

“An act authorizing the board of education of the city of New York to provide for the construction of swimming pools and the employment of instructors thereat.” (No. 1872, Int. No. 965.)

“An act authorizing the board of estimate and apportionment of the city of New York to audit and allow and also authorizing the comptroller of the city of New York to pay to certain persons compensation for services actually rendered to the city of New York in the school board in the year 1899.” (No. 1871, Int. No. 1011.)

“An act to amend the Forest, Fish and Game Law in relation to the pollution of streams.” (No. 1205, Int. No. 994.)

“An act to amend the Greater New York charter, relative to the salaries of officers.” (No. 1874, Int. No. 1145.)

“An act authorizing the town of Middletown, Delaware county, to issue bonds to retire outstanding certificates of indebtedness against said town.” (No. 1882, Int. No. 1257.)

"An act to provide for the erection of a new high school in the city of Syracuse." (No. 1876, Int. No. 1190.)

"An act to amend the Insurance Law in relation to the incorporation of fraternal beneficiary societies, orders or associations." (No. 839, Int. No. 740.)

"An act to amend the Greater New York charter, relative to certain officers of the municipal court of the city of New York." (No. 439, Int. No. 418.)

"An act to amend the Greater New York charter, relative to Anniversary day, so-called, as a holiday in the public schools of the borough of Brooklyn, city of New York." (No. 1865, Int. No. 1364.)

"An act to amend the Insurance Law relative to mutual benefit fraternities." (No. 1534, Int. No. 1200.)

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1870) entitled "An act to amend chapter 506 of the Laws of 1902 entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village and to prescribe their powers and duties'" (Rec. No. 204), reported the same with the following recommendations:

Insert a comma after the word "two" in second line of title, and strike out the comma after the word "entitled."

Page 1, line 1, after the word "of" strike out the word "said."

Same page, line 2, after the word "two" insert a comma and the words "entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village and to prescribe their powers and duties.'"

Same page, line 3, strike out the words "so as."

FRED. W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills,

reported the following entitled bills as correctly printed or engrossed :

“An act to create a new boundary line between the Sixth and Twelfth wards of the city of Troy.” (No. 977, Int. No. 835.)

“An act to authorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor.” (No. 1446, Int. No. 1160.)

“An act to amend the Greater New York charter so as to authorize the issue of corporate stock in order to provide for deficiencies arising from uncollectable taxes.” (No. 882, Int. No. 767.)

“An act to provide for the acquisition of certain real estate, and to lay out a play-ground in the borough of Brooklyn.” (No. 1614, Int. No. 1259.)

“An act to authorize the Comptroller of the State to hear and determine the application of William H. Faxon for cancellation of the tax sales made by the Comptroller in 1881 and 1885 on lot No. 104 of township 26, Totten and Crossfield's Purchase, Essex county.” (No. 1878, Int. No. 545.)

“An act to amend the Banking Law relative to reports of banks and trust companies.” (No. 1880, Rec. No. 99.)

“An act to amend the Forest, Fish and Game Law relative to the powers of game protectors.” (No. 1324, Rec. No. 1078.)

“An act to amend the Code of Civil Procedure relative to the qualification of a referee.” (No. 1679, Rec. No. 546.)

“An act to amend the Forest, Fish and Game Law relative to the transportation of fish caught in the waters of Missisquoi bay and the tributaries to said bay in the Province of Quebec, and the Richelieu river in said province.” (No. 1863, Int. No. 1365.)

“An act to amend the Forest, Fish and Game Law relating to trout fishing in the county of Allegany.” (No. 1840, Int. No. 466.)

“An act transferring the unexpended balance in the fund for the enlargement of the Erie, the Oswego and the Cayuga and Seneca canals and for the completion of the Black River and Genesee Valley canals and for the enlargement of locks of the Champlain canal to the canal debt sinking fund.” (No. 1604, Int. No. 1249.)

“An act to provide for the acquisition of certain real estate and wharf property in the borough of Brooklyn for playground and recreative purposes.” (No. 193, Int. No. 193.)

“An act to amend section 58 of the Code of Civil Procedure relative to the graduates of law schools in the State.” (No. 1877, Int. No. 55.)

“An act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots and erecting, completing and enlarging school buildings.” (No. 978, Int. No. 836.)

“An act to prevent the emasculation of the national anthem, the Star Spangled Banner, in the text-books in use in the public schools of the State of New York.” (No. 1712, Int. No. 1305.)

“An act to repeal section 115 of the Lien Law, relating to the exemption of certain articles from the provisions of the Lien Law requiring the filing of contracts of conditional sale.” (No. 1314, Int. No. 1068.)

“An act to authorize the expenditure by the city of New York of money for the proper celebration of Memorial day in the year 1905.” (No. 1564, Int. No. 1230.)

“An act authorizing and directing the city of Troy to pay certain awards made against it for waterworks purposes and to issue its bonds for the purpose of raising money with which to make such payment.” (No. 1546, Int. No. 1208.)

“An act to amend the Compulsory Education Law regarding the powers and duties of truant officers.” (No. 1293, Int. No. 1047.)

“An act to provide for a boulevard or parkway in the borough of Brooklyn, county of Kings, city of New York.” (No. 1361, Int. No. 1102.)

“An act to amend the Penal Code in relation to defenses to prosecutions for larceny.” (No. 1444, Int. No. 1158.)

Mr. Cox offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on engrossed bills be discharged from the further consideration of Assembly bill No. 1843, entitled “An act to amend the Code of Civil Procedure, in relation to the jurisdiction of the Court of Claims.” (Int. No. 682.)

Mr. Speaker put the question whether the House would agree to said resolution, and it determined in the affirmative.

Mr. Cox moved that said bill be recommitted to the committee on claims, with instructions to report the same forthwith amended as follows:

Page 2, line 14, strike out the words "in whole or in part."

Page 3, lines 1 and 2, strike out the words "or other person designated by the attorney-general for that purpose."

Same page, lines 8 and 9, strike out the words "or other person designated by the attorney-general."

Same page, line 11, add after the word "attorney-general" the word "or."

Same page, lines 11 and 12, strike out the words "or other person designated by the attorney-general."

Same page, line 17, strike out all of section 2 and substitute as follows:

"§ 2. Section two hundred and seventy of the code of civil procedure as added by chapter thirty-six of the laws of eighteen hundred and ninety-seven is hereby amended to read as follows:

"§ 270. Duty of attorney-general and superintendent of public works.—The attorney-general shall represent the state in all proceedings relating to claims. In all cases of canal claims a copy of each such claim and of notice of claim which is or may hereafter be required to be filed with the court of claims shall be filed with the superintendent of public works who on request from the attorney-general, shall furnish such assistance as he may require in subpoenaing witnesses and preparing the cases for trial. The attorney-general may designate a clerk in his office to assist in the preparation of cases for trial and to attend a term of the court. [His reasonable and necessary expenses while engaged in such duty, except in Albany, when approved by the attorney-general, shall be audited by the court and paid out of its contingent fund.] And no claim brought against the state on account of the canal shall be settled or compromised for any amount without written consent thereto by the superintendent of public works or by an employee of the department of public works duly authorized by said superintendent.

"§ 3. This act shall take effect immediately."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cox, from the committee on claims, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1205) entitled "An act to amend the Forest, Fish and Game Law in relation to the pollution of streams" (Int. No. 994), was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1759) entitled "An act to amend the Insanity Law, relating to the management of State hospitals, abolishing the boards of visitation and creating boards of managers therefor, and defining the powers and duties of the boards of managers and of the State Commission in Lunacy" (Int. No. 496), having been announced for a third reading,

On motion of Mr. Fish, and by unanimous consent, said bill was made a special order on third reading for Monday next, immediately after the reading of the journal.

The bill (No. 1724) entitled "An act to amend the State Charities Law, by providing for the management of the New York State Training School for Boys, and the commitment thereto of boys under the age of 16 years" (Int. No. 1173), having been announced for a third reading,

Mr. Wainwright moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Add at the end of section 124 the words "Nothing in this act contained shall affect any of the provisions contained in section 713 of the Penal Code."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 394) entitled "An act to assess the cost and expense of constructing a bridge over the railroad tracts on Main street, east, in the city of Rochester, on the property bene-

fited thereby" (Rec. No. 104), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78

NOES 6

Those who voted in the affirmative were:

Allen F E	Fitzsimons	La Petra	Prince	Sullivan
Allen J G	Foster	La Rue	Quinn	Thompson G F
Bass	Francisco	Leggett	Reeve	Thompson J A
Becker	Freidel	Lewis	Reilly	Thonet
Beebe	Fuller	Machacek	Rigby	Tompkins
Brooks	Gardner	Malloy	Rosenstein	Waddell
Burzynski	Gates	Matthews C R	Salomon	Wade
Cadin	Gurnett	McManus	Santee	Wagner
Callahan	Hackett	Miller	Scovill	Wadsworth
Carrier	Hapeman	Monroe	Shuttleworth	Wedemeyer
Charles E E	Hartman	Murphy	Slocum	West
Cooke	Hastings	Newton	Smith A P	Wiegand
Cotton	Hooker	Ogden	Smith A E	Wilson
Coutant	Hooper	Parker	Smith J E	Wolf
Cowan	Hornidge	Patton	Smith J T	Wood F X
Dodd	Hubbs	Pendry	Smith R H	Yale
Etzel	Kavanaugh	Plank	Stanley	Young
Evans	Knapp	Pratt		

Those who voted in the negative were:

Anderson	Hurd	Mathews T F	Phillips	Rogers
Caughlan				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1475) entitled "An act to provide for the licensing of engineers and firemen operating a steam stationary engine or engines steam stationary, boiler or boilers in the State of New York, excepting cities of the first class" (Int. No. 706), having been announced for a third reading,

Mr. Gates moved that said bill be recommitted to the committee on general laws, with instructions to report the same forthwith amended as follows:

Amend the title by inserting after the words "New York" the words "in cities."

Page 1, line 2, after the word "state" insert the words "in cities."

Same page, line 18, strike out the words "or town."

Page 3, line 6, strike out the words "or town."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Merritt, from the committee on general laws, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1568) entitled "An act to confer on the Court of Claims jurisdiction to hear, audit and determine the claims of the personal representatives of William J. Smith for damages resulting from the death of said William J. Smith by the negligence of the State of New York through its servants and employees" (Int. No. 224), having been announced for a third reading,

On motion of Mr. Brooks, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 512, Assembly reprint No. 1767) entitled "An act amending section 165 of the Town Law relating to fees of officers in criminal proceedings" (Rec. No. 114), having been announced for a third reading,

On motion of Mr. Thompson, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1740) entitled "An act to amend the Code of Civil Procedure, relating to actions for partition" (Int. No. 943), having been announced for a third reading,

On motion of Mr. Phillips, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1868) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1373), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill

was made a special order on third reading for Monday next immediately after the reading of the journal.

The bill (No. 1495) entitled "An act to amend the Penal Code, in relation to stamping or marking articles manufactured of gold or of any alloy of gold" (Int. No. 1186), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 1

Those who voted in the affirmative were:

Agnew	Coutant	Hubbs	Pendry	Standart
Allen F E	Cox	Kavanaugh	Perry	Stanley
Allen J G	Cunningham	Knapp	Phillips	Steele
Anderson	Dale	La Fetra	Platt	Sullivan
Apgar	Donovan	Leggett	Pratt	Tenjost
Bass	Dowling	Lewis	Prentice	Thompson G F
Becker	Ellis	Maier	Prince	Thompson J A
Bedell	Etzel	Malloy	Reeve	Tompkins
Beebe	Evans	Mathews T F	Reilly	Waddell
Beihlf	Fish	Matthews C R	Rigby	Wade
Bisland	Fitzsimons	McKeown	Rogers	Wagner
Brady	Foster	McManus	Salomon	Wainwright
Brooks	Francisco	Mead	Sammon	Wedemeyer
Burnett	Freidel	Merritt	Santee	West
Burzynski	Gardner	Miller	Schoeneck	Whitney F G
Byrne	Gates	Monroe	Shanahan	Whitney G H
Cadin	Grady	Moreland	Sheehy	Wiegand
Cahn	Grattan	Murphy	Sheldon	Wilsnack
Callahan	Gurnett	Newton	Sherry	Wilson
Carrier	Hammond	Nugent	Slocum	Wolf
Charles E E	Hanford	O'Neill	Smith A P	Wood F C
Charles W B	Hartman	Palmer	Smith A E	Wood F X
Cooke	Hastings	Parker	Smith J E	Yale
Coon	Hooker	Patton	Smith J T	Young
Cotton	Hornidge			

In the negative:

Bird

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 187, Assembly reprint No. 1860) entitled

"An act to amend chapter 394 of the Laws of 1904, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the duties of the commissioner" (Rec. No. 58), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Kavanaugh	Phillips	Smith R H
Allen F E	Dale	La Fetra	Platt	Standart
Allen J G	Donovan	La Rue	Pratt	Stanley
Apgar	Dowling	Lewis	Prentice	Steele
Bass	Ellis	Maier	Prince	Sullivan
Bedell	Etzel	Malloy	Quinn	Tenjost
Beebe	Everett	Mathews T F	Reeve	Thompson G F
Bird	Fish	Matthews C R	Reilly	Thonet
Bisland	Foelker	McKeown	Rigby	Tompkins
Brady	Foster	McManus	Rosenstein	Wade
Brooks	Francisco	Mead	Salomon	Wagner
Burns	Fuller	Merritt	Sammon	Wadsworth
Burzynski	Gardner	Monroe	Santee	Wainwright
Byrne	Grady	Moreland	Schoeneck	Wedemeyer
Cadin	Grattan	Murphy	Scovill	West
Cahn	Gray	Newton	Shanahan	Whitney F G
Callahan	Hackett	Nugent	Sheehy	Whitney G H
Carrier	Hammond	Ogden	Sheldon	Wilsnack
Caughlan	Hanford	O'Neill	Sherry	Wilson
Charles E E	Hartman	Palmer	Slocum	Wolf
Charles W B	Hastings	Parker	Smith A P	Wood F C
Coon	Hornidge	Patton	Smith A E	Wood F X
Cotton	Hubbs	Pendry	Smith J E	Yale
Cowan	Hurd	Perry	Smith J T	Young
Cox				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Hammond in the chair.

Mr. Wainwright moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Allen F E	Dale	Hooper	Perry	Standart
Anderson	Dodd	Hurd	Phillips	Stanley
Apgar	Donovan	Kavanaugh	Plank	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Reeve	Tenjost
Bedell	Etzel	La Rue	Reilly	Thompson G F
Beebe	Evans	Leggett	Rigby	Thompson J A
Beihilf	Everett	Lewis	Rogers	Thonet
Bird	Foster	Maier	Rosenstein	Tompkins
Brady	Francisco	Malloy	Salomon	Waddell
Brooks	Freidel	Matthews T F	Santee	Wade
Cadin	Fuller	Matthews C R	Schoeneck	Wadsworth
Cahn	Gardner	McKeown	Scovill	Wainwright
Callahan	Gates	McManus	Shanahan	Wedemeyer
Carrier	Grady	Mead	Sheehy	West
Caughlan	Grattan	Miller	Sheldon	Whitney F G
Charles E E	Gurnett	Monroe	Shuttleworth	Whitney G H
Charles W B	Hackett	Murphy	Slocum	Wilsnack
Cooke	Hammond	Newton	Smith A P	Wilson
Coon	Hanford	Nugent	Smith A E	Wolf
Cotton	Hapeman	Ogden	Smith J E	Wood F C
Coutant	Hartman	Patton	Smith J T	Wood F X
Cowan	Hastings	Pendry	Smith R H	Young
Cox	Hooker			

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Mr. Wainwright moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1851) entitled "An act to amend the Consolidated School Law, relative to the qualifications of school commissioner" (Int. No. 484), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 17

NOES 92

Those who voted in the affirmative were:

Allen F E	Fuller	Ogden	Reeve	Stanley
Allen J G	Gardner	Plank	Rigby	Tompkins
Charles W B	Hartman	Pratt	Rogers	Wainwright
Evans	La Rue			

Those who voted in the negative were:

Anderson	Dodd	Kavanaugh	Phillips	Thompson G F
Bass	Dowling	Knapp	Platt	Thompson J A
Becker	Ellis	La Fetra	Prince	Thonet
Bedell	Etzel	Leggett	Reilly	Waddell
Beebe	Foster	Maier	Rosenstein	Wade
Beihlf	Francisco	Malloy	Sammon	Wagner
Bird	Freidel	Mathews T F	Santee	Wadsworth
Bisland	Grattan	Matthews C R	Schoeneck	Wedemeyer
Brooks	Gurnett	McKeown	Shanahan	West
Burzynski	Hackett	McManus	Shuttleworth	Whitney F G
Cadin	Hammond	Mead	Smith A P	Whitney G H
Cahn	Hanford	Monroe	Smith A E	Wilsnack
Carrier	Hapeman	Murphy	Smith J E	Wilson
Caughlan	Hastings	Newton	Smith J T	Wolf
Charles E E	Hooker	Nugent	Smith R H	Wood F C
Cooke	Hooper	Patton	Standart	Wood F X
Coon	Hornidge	Pendry	Stevens	Yale
Coutant	Hubbs	Perry	Tenjust	Young
Cunningham	Hurd			

Mr. Wainwright moved to reconsider the vote by which said bill was lost, and that said motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1855) entitled "An act to amend the County Law, in relation to the power of the board of supervisors of any county to sell, assign, transfer or set over a judgment obtained in the Court of Claims by such county against the State of New York" (Int. No. 228), having been announced for a third reading,

On motion of Mr. Gates, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1797) entitled "An act to provide for the construction and maintenance of a sanitary trunk sewer and sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor" (Int. No. 531), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Knapp	Phillips	Smith R H
Allen F E	Dale	La Fetra	Plank	Stanley
Allen J G	Dodd	La Rue	Platt	Steele
Anderson	Donovan	Lewis	Pratt	Stevens
Apgar	Ellis	Machacek	Prentice	Sullivan
Becker	Etsel	Maier	Prince	Tenjust
Bedell	Evans	Malloy	Quinn	Thompson G F
Beihilf	Fish	Mathews T F	Reeve	Thompson J A
Bird	Fitzsimons	Matthews C R	Reilly	Thonet
Bisland	Foelker	McKeown	Rigby	Tompkins
Brooks	Foster	McManus	Rogers	Waddell
Burnett	Freidel	Mead	Rosenstein	Wade
Burns	Fuller	Merritt	Salomon	Wagner
Burzynski	Gates	Miller	Sammon	Wainwright
Byrne	Grady	Monroe	Santee	Wedemeyer
Cadin	Grattan	Moreland	Schoeneck	West
Cahn	Gurnett	Murphy	Scovill	Wemple
Callahan	Hammond	Newton	Shanahan	Whitney F G
Caughlan	Hanford	Nugent	Sheehy	Wiegand
Charles E E	Hapeman	Ogden	Sheldon	Wilsnack
Charles W B	Hartman	O'Neill	Sherry	Wolf
Cooke	Hastings	Palmer	Shuttleworth	Wood F C
Coon	Hooker	Parker	Smith A P	Wood F X
Coutant	Hornidge	Patton	Smith A E	Yale
Cowan	Hubbs	Pendry	Smith J T	Young
Cox	Hurd	Perry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1321) entitled "An act to amend the Forest, Fish and Game Law, relative to penalties" (Int. No. 1075), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hubbs	Pendry	Smith A E
Allen J G	Cowan	Hurd	Phillips	Smith J E
Anderson	Cox	La Fetra	Plank	Smith J T
Apgar	Cunningham	Leggett	Platt	Smith R H

Becker	Dale	Lewis	Pratt	Stanley
Bedell	Dodd	Maier	Prentice	Steele
Beebe	Dowling	Malloy	Prince	Sullivan
Beihilf	Ellis	Mathews T F	Quinn	Thompson G F
Bird	Evans	Matthews C R	Reeve	Thompson J A
Brady	Everett	McKeown	Reilly	Tompkins
Brooks	Fitzsimons	McManus	Rigby	Waddell
Burnett	Foelker	Mead	Rogers	Wagner
Burns	Foster	Merritt	Rosenstein	Wainwright
Burzynski	Freidel	Monroe	Salomon	Wedemeyer
Cadin	Gardner	Moreland	Sammon	Wemple
Callahan	Gates	Murphy	Santee	Whitney F G
Carrier	Grattan	Newton	Schoeneck	Wiegand
Caughlan	Hammond	Nugent	Shanahan	Wilson
Charles E E	Hanford	Ogden	Stanley	Wolf
Charles W B	Hartman	O'Neill	Sheldon	Wood F C
Cooke	Hooker	Palmer	Sherry	Wood F X
Coon	Hooper	Parker	Shuttleworth	Yale
Cotton	Hornidge	Patton	Slocum	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1325) entitled "An act to amend the Forest, Fish and Game Law, relative to the use of nets in Coney Island creek" (Int. No. 1079), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 116

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hubbs	Parker	Smith A E
Allen F E	Cunningham	Hurd	Patton	Smith J E
Allen J G	Dale	Kavanaugh	Pendry	Smith J T
Anderson	Donovan	La Fetra	Perry	Standart
Apgar	Ellis	Leggett	Phillips	Stanley
Bass	Etzel	Lewis	Plank	Stevens
Becker	Everett	Machacek	Platt	Sullivan
Bedell	Fish	Malloy	Pratt	Tenjost
Beebe	Fitzsimons	Mathews T F	Prince	Thompson J A
Beihilf	Foelker	Matthews C R	Quinn	Thonet
Bird	Francisco	McKeown	Reeve	Tompkins
Bisland	Freidel	McManus	Rigby	Wade
Brady	Fuller	Mead	Rogers	Wagner
Brooks	Gates	Merritt	Salomon	Wainwright
Burns	Grattan	Miller	Santee	Wedemeyer
Burzynski	Gray	Monroe	Schoeneck	Wemple
Byrne	Hackett	Moreland	Scovill	Whitney F G
Cahn	Hammond	Murphy	Shanahan	Wiegand

Carrier	Hanford	Newton	Sheehy	Wilsnack
Caughlan	Hapeman	Nugent	Sherry	Wolf
Charles E E	Hartman	Ogden	Shuttleworth	Wood F C
Cooke	Hooker	O'Neill	Slocum	Yale
Coon	Hooper	Palmer	Smith A P	Young
Coutant				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1853) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to the salaries of the record clerks of the courts of general sessions" (Int. No. 461), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hubbs	Perry	Smith R H
Allen F E	Cox	Hurd	Phillips	Standart
Anderson	Cunningham	Knapp	Plank	Stanley
Apgar	Dodd	La Fetra	Platt	Stevens
Bass	Donovan	La Rue	Pratt	Sullivan
Becker	Dowling	Leggett	Prentice	Tenjost
Bedell	Etzel	Machacek	Prince	Thompson G F
Beebe	Evans	Maier	Quinn	Thompson J A
Beihlf	Everett	Malloy	Reeve	Thonet
Bisland	Fish	Mathews T F	Reilly	Tompkins
Brady	Fitzsimons	Matthews C R	Rogers	Wade
Brooks	Foelker	McKeown	Rosenstein	Wagner
Burnett	Francisco	McManus	Salomon	Wadsworth
Burns	Freidel	Mead	Sammon	Wedemeyer
Burzynski	Fuller	Miller	Santee	West
Byrne	Gardner	Monroe	Schoeneck	Wemple
Cadin	Gates	Moreland	Scovill	Whitney F G
Cahn	Grattan	Murphy	Shanahan	Whitney G H
Callahan	Gray	Newton	Sheehy	Wiegand
Carrier	Hackett	Nugent	Sheldon	Wilson
Charles E E	Hammond	Ogden	Sherry	Wolf
Charles W B	Hanford	O'Neill	Slocum	Wood F C
Cooke	Hapeman	Palmer	Smith A P	Wood F X
Coon	Hastings	Parker	Smith A E	Yale
Cotton	Hooker	Patton	Smith J E	Young
Coutant	Hornidge	Pendry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1463) entitled "An act to amend chapter 331 of the Laws of 1898, entitled 'An act in relation to violations of the provisions of the Penal Code, relating to the manufacture or sale of spurious silverware,' by making the provisions thereof apply to the manufacture or sale of spurious goldware" (Int. No. 1177), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hooker	Parker	Smith J T
Allen F E	Cowan	Hooper	Patton	Standart
Allen J G	Cox	Hubbs	Pendry	Steele
Anderson	Cunningham	Kavanaugh	Perry	Stevens
Apgar	Dale	Knapp	Phillips	Sullivan
Bass	Dodd	La Rue	Plank	Tenjust
Becker	Dowling	Leggett	Platt	Thompson J A
Bedell	Ellis	Machacek	Prentice	Thonet
Beebe	Evans	Maier	Prince	Tompkins
Bird	Everett	Malloy	Quinn	Wade
Bisland	Fish	Mathews T F	Reilly	Wagner
Brady	Fitzsimons	Matthews C R	Rigby	Wadsworth
Brooks	Foster	McKeown	Rogers	Wainwright
Burnett	Francisco	McManus	Salomon	Wedemeyer
Burzynski	Fuller	Mead	Sammon	West
Byrne	Gardner	Merritt	Santee	Wemple
Cadin	Gates	Miller	Schoeneck	Whitney F G
Cahn	Grattan	Monroe	Scovill	Wiegand
Callahan	Gray	Moreland	Sheehy	Wilsnack
Carrier	Hackett	Murphy	Sheldon	Wilson
Caughlan	Hammond	Nugent	Shuttleworth	Wood F C
Charles E E	Hanford	Ogden	Slocum	Wood F X
Charles W B	Hartman	O'Neill	Smith A P	Yale
Coon	Hastings	Palmer	Smith J E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1859) entitled "An act to amend the Liquor Tax Law, in relation to the violation and the penalties for a violation

of such law twice during the term of any one certificate" (Int. No. 1129), having been announced for a third reading,

Mr. Freidel moved that said bill be recommitted to the committee on excise, with instructions to report the same forthwith amended as follows:

Page 6, line 7, after the word "certificate" insert the words "or any person whosoever in charge of said premises."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Plank, from the committee on excise, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1850) entitled "An act to amend chapter 208 of the Laws of 1889, entitled 'An act to incorporate the fire department of the town of Newtown, Queens county, N. Y.,' in relation to chiefs of such department" (Int. No. 1222), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Patton	Standart
Allen F E	Cunningham	Hubbs	Pendry	Stanley
Allen J G	Dale	Hurd	Perry	Steele
Anderson	Dodd	Kavanaugh	Phillips	Stevens
Apgar	Donovan	Knapp	Platt	Sullivan
Becker	Ellis	La Fetra	Pratt	Tenjost
Bedell	Etzel	La Rue	Prentice	Thompson G F
Beebe	Evans	Leggett	Prince	Thompson J A
Beihilf	Everett	Lewis	Quinn	Thonet
Bird	Fitzsimons	Machacek	Reeve	Tompkins
Bisland	Foelker	Maier	Rigby	Waddell
Brady	Foster	Malloy	Rogers	Wade
Brooks	Francisco	Mathews T F	Rosenstein	Wagner
Burnett	Freidel	Matthews C R	Salomon	Wadsworth
Burzynski	Fuller	McKeown	Sammon	Wainwright

Byrne	Gardner	McManus	Schoeneck	Wedemeyer
Cadin	Gates	Mead	Scovill	Wemple
Cahn	Grady	Merritt	Shanahan	Whitney F G
Callahan	Grattan	Monroe	Sheehy	Whitney G H
Carrier	Gray	Moreland	Sheldon	Wiegand
Caughlan	Hackett	Murphy	Sherry	Wilsnack
Charles E E	Hammond	Newton	Shuttleworth	Wilson
Charles W B	Hanford	Nugent	Slocum	Wolf
Cooke	Hapeman	Ogden	Smith A P	Wood F C
Coon	Hartman	O'Neill	Smith A E	Wood F X
Cotton	Hastings	Palmer	Smith J T	Yale
Coutant	Hooker	Parker	Smith R H	Young
Cowan	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1854) entitled "An act authorizing the police commissioner of the city of New York to rehear the charges upon which John W. Nelson, formerly a patrolman in the police department of said city, was dismissed from said department and to reinstate him in his former position" (Int. No. 271), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Kavanaugh	Platt	Smith R H
Allen F E	Dodd	Knapp	Pratt	Standart
Allen J G	Donovan	La Fetra	Prentice	Stanley
Anderson	Dowling	La Rue	Prince	Steele
Apgar	Ellis	Lewis	Quinn	Stevens
Bass	Etzel	Maier	Reeve	Sullivan
Becker	Everett	Malloy	Reilly	Tenjost
Bedell	Fish	Mathews T F	Rigby	Thompson G F
Beebe	Foelker	Matthews C R	Rogers	Thompson J A
Bird	Foster	McKeown	Rosenstein	Thonet
Bisland	Freidel	McManus	Salomon	Waddell
Brady	Fuller	Merritt	Sammon	Wade
Brooks	Gardner	Miller	Santee	Wadsworth
Burns	Gates	Monroe	Schoeneck	Wedemeyer
Burzynski	Grady	Murphy	Scovill	West
Byrne	Grattan	Newton	Shanahan	Wemple
Cadin	Gray	Nugent	Sheehy	Whitney F G

Callahan	Gurnett	Ogden	Sheldon	Whitney G H
Carrier	Hackett	O'Neill	Sherry	Wiegand
Charles E E	Hanford	Palmer	Shuttleworth	Wilsnack
Charles W B	Hapeman	Parker	Slocum	Wolf
Coon	Hartman	Patton	Smith A P	Wood F C
Cotton	Hastings	Pendry	Smith A E	Wood F X
Cowan	Hooker	Perry	Smith J E	Yale
Cox	Hornidge	Phillips	Smith J T	Young
Cunningham	Hubbs	Plank		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and as amended have again passed the same, and request the concurrence of the Senate therein.

The bill (No. 1801) entitled "An act to amend section 727 of the Greater New York charter, relative to the power of the fire commissioner" (Int. No. 666), having been announced for a third reading,

Mr. Freidel moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 9, after the word "principal" change the word "officer" to "officers."

Same page, line 23, after the word "appliances" insert the word "and;" after the word "the" insert the words "uniformed firemen assigned to said bureau," and strike out the words "officers of which."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1856) entitled "An act to amend the Greater New York charter, relative to the certification of public records by the comptroller" (Int. No. 1116), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hornidge	Perry	Stanley
Allen F E	Cunningham	Hurd	Phillips	Steele
Allen J G	Dale	Kavanaugh	Plank	Stevens
Apgar	Dodd	La Petra	Platt	Tenjest
Bass	Donovan	La Rue	Pratt	Thompson G F
Becker	Ellis	Lewis	Prentice	Thompson J A
Bedell	Etzel	Malloy	Prince	Thonet
Beebe	Evans	Mathews T F	Quinn	Tompkins
Beihlf	Everett	Mathews C R	Reeve	Wade
Bird	Fitzsimons	McKeown	Rigby	Wagner
Brady	Foelker	McManus	Rosenstein	Wadsworth
Brooks	Foster	Mead	Salomon	Wainwright
Burnett	Francisco	Merritt	Sammon	West
Burns	Fuller	Miller	Schoeneck	Wemple
Burzynski	Gardner	Monroe	Shanahan	Whitney F G
Cadin	Gates	Moreland	Stanley	Wiegand
Cahn	Grattan	Newton	Sheldon	Wilsnack
Callahan	Gray	Nugent	Sherry	Wilson
Caughlan	Hackett	Ogden	Slocum	Wolf
Charles E E	Hammond	O'Neill	Smith A E	Wood F C
Charles W B	Hanford	Palmer	Smith J E	Wood F X
Cooke	Hartman	Parker	Smith J T	Yale
Cotton	Hastings	Pendry	Standart	Young
Coutant	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1861) entitled "An act to amend the Liquor Tax Law, in relation to two violations of the law during term of one certificate" (Int. No. 1128), having been announced for a third reading,

Mr. Freidel moved that said bill be recommitted to the committee on excise, with instructions to report the same forthwith amended as follows:

Page 3, line 17, after the word "bartender" insert the word "employees."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Plank, from the committee on excise, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1544) entitled "An act to amend the Forest, Fish and Game Law, in relation to close season for trout in Fall Brook creek and its tributaries in the town of Summer Hill in the county of Cayuga" (Int. No. 1206), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 111

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith J E
Allen F E	Cunningham	Hornidge	Perry	Smith J T
Allen J G	Dodd	Hurd	Phillips	Standart
Apgar	Donovan	Knapp	Plank	Stanley
Becker	Dowling	La Fetra	Pratt	Stevens
Bedell	Etzel	La Rue	Prentice	Sullivan
Beihliff	Evans	Leggett	Prince	Thompson G F
Bird	Everett	Machacek	Quinn	Thompson J A
Brady	Fish	Maier	Reeve	Tompkins
Brooks	Fitzsimons	Mathews T F	Rigby	Wade
Burnett	Francisco	Matthews C R	Rogers	Wadsworth
Burns	Freidel	McKeown	Rosenstein	Wedemeyer
Byrne	Fuller	McManus	Salomon	West
Cadin	Gardner	Mead	Sammon	Whitney F G
Cahn	Gates	Merritt	Schoeneck	Whitney G H
Callahan	Grady	Monroe	Scovill	Wiegand
Carrier	Grattan	Moreland	Sheehy	Wilson
Charles E E	Gurnett	Murphy	Sheldon	Wolf
Charles W B	Hammond	Nugent	Sherry	Wood F C
Coon	Hanford	Ogden	Slocum	Wood F X
Cotton	Hartman	O'Neill	Smith A P	Yale
Coutant	Hastings	Parker	Smith A E	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1663) entitled "An act to amend chapter 359 of the Laws of 1897, entitled 'An act to incorporate the city of Rensselaer,' relative to additional bonds for street pavements and the erection of a fire house, and the issue of bonds therefor" (Int. No. 1283), was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hartman	Parker	Smith J E
Allen F E	Cowan	Hooker	Patton	Smith J T
Allen J G	Cox	Hooper	Pendry	Standart
Anderson	Cunningham	Hornidge	Perry	Stanley
Apgar	Dale	Hubbs	Phillips	Steele
Bass	Dodd	Hurd	Plank	Stevens
Becker	Donovan	Kavanaugh	Platt	Thonet
Bedell	Dowling	La Petra	Pratt	Thompson G F
Beihlf	Ellis	La Rue	Prentice	Thompson J A
Bird	Etzel	Leggett	Quinn	Thompson
Bisland	Evans	Machacek	Reilly	Waddell
Brady	Everett	Maier	Rigby	Wade
Brooks	Fish	Malloy	Rogers	Wagner
Burnett	Fitzsimons	Mathews T F	Salomon	Wainwright
Burns	Foelker	Matthews C R	Sammon	Wedemeyer
Burzynski	Francisco	McKeown	Santee	West
Byrne	Freidel	McManus	Schoeneck	Whitney F G
Cadin	Fuller	Mead	Scovill	Whitney G H
Cahn	Gates	Miller	Shanahan	Wiegand
Callahan	Grady	Monroe	Sheldon	Wilsnack
Carrier	Grattan	Moreland	Sherry	Wilson
Caughlan	Gray	Murphy	Shuttleworth	Wolf
Charles W B	Hackett	Nugent	Slocum	Wood F X
Cooke	Hammond	Ogden	Smith A P	Yale
Coon	Hanford	O'Neill	Smith A E	Young
Cotton	Hapeman	Palmer		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1846) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' relative to jurors" (Int. No. 1211), having been announced for a third reading,

Mr. A. E. Smith moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 8, make the word "boroughs" read "borough."

Same page, line 9, strike out the words "Manhattan" and "and."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1771) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Eugene Scherri against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 919), having been announced for a third reading,

On motion of Mr. La Fetra, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1613) entitled "An act to authorize the city of Lockport to borrow money, by the issue of bonds, to make needed repairs to Hawley street school building and to improve the heating, ventilating and closet system therein" (Int. No. 1257), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Dodd	Knapp	Plank	Standart
Allen F E	Donovan	La Fetra	Platt	Stanley
Anderson	Dowling	Leggett	Pratt	Steele
Apgar	Ellis	Lewis	Prentice	Stevens
Bass	Etzel	Machacek	Prince	Sullivan
Becker	Evans	Maier	Quinn	Tenjost
Bedell	Fish	Malloy	Reeve	Thompson G F
Beebe	Fitzsimons	Mathews T F	Reilly	Thompson J A
Beihlf	Foelker	Matthews C R	Rigby	Thonet
Bisland	Foster	McKeown	Rogers	Tompkins

Brady	Francisco	McManus	Rosenstein	Waddell
Brooks	Freidel	Mead	Salomon	Wade
Burnett	Fuller	Merritt	Santee	Wagner
Burns	Gardner	Miller	Schoeneck	Wadsworth
Burzynski	Gates	Monroe	Scovill	Wainwright
Byrne	Grady	Moreland	Shanahan	Wedemeyer
Cadin	Grattan	Murphy	Sheehy	West
Cahn	Gurnett	Newton	Sheldon	Whitney F G
Callahan	Hackett	Nugent	Sherry	Whitney G H
Caughlan	Hammond	Ogden	Shuttleworth	Wiegand
Charles E E	Hanford	O'Neill	Slocum	Wilsnack
Charles W B	Hartman	Palmer	Smith A P	Wolf
Coon	Hastings	Parker	Smith A E	Wood F C
Cotton	Hooper	Patton	Smith J E	Wood F X
Cowan	Hornidge	Pendry	Smith J T	Yale
Cox	Hubbs	Perry	Smith R H	Young
Cunningham	Hurd	Phillips		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1619) entitled "An act to amend the Greater New York charter, in relation to the salary of justices of the court of special sessions" (Int. No. 1264), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Allen F E	Cunningham	Kavanaugh	Phillips	Steele
Allen J G	Dale	Knapp	Plank	Stevens
Anderson	Donovan	La Fetra	Platt	Sullivan
Apgar	Dowling	La Rue	Pratt	Tenjost
Bass	Etzel	Lewis	Prentice	Thompson G F
Becker	Evans	Machacek	Prince	Thompson J A
Bedell	Fish	Maier	Quinn	Thonet
Beebe	Fitzsimons	Malloy	Reilly	Tompkins
Bird	Foelker	Mathews T F	Rigby	Waddell
Bisland	Foster	Matthews C R	Rogers	Wade
Brady	Francisco	McKeown	Salomon	Wagner
Brooks	Freidel	McManus	Sammon	Wadsworth
Burnett	Fuller	Mead	Santee	Wainwright
Burns	Gates	Merritt	Scovill	Wedemeyer
Byrne	Grady	Miller	Shanahan	West
Cadin	Grattan	Moreland	Sheldon	Wemple

Cahn	Gurnett	Murphy	Sherry	Whitney F G
Carrier	Hackett	Newton	Shuttleworth	Whitney G H
Caughlan	Hammond	Nugent	Slocum	Wiegand
Charles E E	Hapeman	Ogden	Smith A P	Wilsnack
Charles W B	Hartman	O'Neill	Smith A E	Wilson
Cooke	Hastings	Palmer	Smith J E	Wolf
Coon	Hooker	Parker	Smith J T	Wood F C
Cotton	Hooper	Patton	Smith R H	Wood F X
Coutant	Hornidge	Pendry	Standart	Yale
Cowan	Hubbs	Perry	Stanley	Young
Cox	Hurd			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1563) entitled "An act to amend the Greater New York charter so as to confer power upon the board of estimate and apportionment to appropriate money for the proper observance of Memorial day in the city of New York" (Int. No. 1229), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooper	Pendry	Stanley
Allen F E	Cowan	Hornidge	Perry	Steele
Allen J G	Cox	Hubbs	Phillips	Stevens
Anderson	Cunningham	Kavanaugh	Platt	Sullivan
Apgar	Dale	Knapp	Pratt	Tenjust
Bass	Dodd	La Rue	Prentice	Thompson G F
Becker	Dowling	Leggett	Prince	Thompson J A
Bedell	Ellis	Lewis	Quinn	Thonet
Beebe	Etzel	Machacek	Reeve	Tompkins
Beihlf	Evans	Maier	Reilly	Waddell
Bird	Everett	Mathews T F	Rigby	Wade
Bisland	Fish	Matthews C R	Rogers	Wagner
Brady	Fitzsimons	McKeown	Rosenstein	Wadsworth
Brooks	Foster	McManus	Sammon	Wainwright
Burnett	Francisco	Mead	Schoeneck	Wedemeyer
Burns	Freidel	Merritt	Scovill	West
Burzynski	Fuller	Miller	Sheehy	Wemple
Byrne	Gates	Monroe	Sheldon	Whitney F G
Cadin	Grady	Moreland	Sherry	Wiegand
Cahn	Grattan	Murphy	Shuttleworth	Wilsnack
Callahan	Gray	Newton	Slocum	Wilson

Carrier	Gurnett	Nugent	Smith A P	WOLF
Caughlan	Hammond	Ogden	Smith A E	Wood F C
Charles E E	Hanford	O'Neill	Smith J E	Wood F X
Charles W B	Hapeman	Palmer	Smith J T	Yale
Coon	Hastings	Parker	Smith R H	Young
Cotton	Hooker	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1625) entitled "An act to amend the Forest, Fish and Game Law, in relation to spearing fish in Ulster county" (Int. No. 599), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Agnew	Donovan	Hubbs	Perry	Smith J T
Allen F E	Dowling	Hurd	Phillips	Smith R H
Anderson	Ellis	Knapp	Plank	Standart
Apgar	Etzel	La Rue	Platt	Stanley
Bass	Evans	Leggett	Pratt	Steele
Becker	Everett	Lewis	Prentice	Stevens
Bedell	Fish	Machacek	Prince	Sullivan
Beebe	Fitzsimons	Maier	Quinn	Tenjost
Bird	Foelker	Malloy	Reeve	Thompson G F
Bisland	Foster	Mathews T F	Reilly	Thompson J A
Brady	Francisco	Matthews C R	Rigby	Thonet
Burnett	Freidel	McKeown	Rogers	Tompkins
Burns	Fuller	McManus	Rosenstein	Waddell
Burzynski	Gardner	Mead	Salomon	Wade
Byrne	Gates	Merritt	Sammon	Wadsworth
Cadin	Grady	Miller	Santee	Wainwright
Cahn	Grattan	Monroe	Schoeneck	Wedemeyer
Callahan	Gray	Moreland	Scovill	West
Carrier	Gurnett	Murphy	Shanahan	Wemple
Caughlan	Hackett	Newton	Sheehy	Whitney G H
Charles W B	Hanford	Nugent	Sheldon	Wiegand
Cooke	Hapeman	Ogden	Sherry	Wilsnack
Coon	Hartman	O'Neill	Shuttleworth	Wilson
Coutant	Hastings	Palmer	Slocum	Wood F C
Cowan	Hooker	Parker	Smith A P	Wood F X
Cox	Hooper	Patton	Smith A E	Yale
Dale	Hornidge	Pendry	Smith J E	Young
Dodd				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent,

Mr. Hooper offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of villages be discharged from the further consideration of Senate bill No. 604, entitled "An act to amend the Village Law, relating to the number of members of hose companies." (Rec. No. 133.)

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

On motion of Mr. Hooker, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Hooper, and by unanimous consent, said bill was substituted for Assembly bill No. 892, Int. No. 780, same title and subject, now on the order of third reading.

On motion of Mr. Hooper, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Pendry	Stanley
Allen F E	Cunningham	Hooper	Perry	Steele
Allen J G	Dale	Hornidge	Phillips	Stevens
Apgar	Ellis	Hurd	Platt	Sullivan
Bass	Donovan	Kavanaugh	Pratt	Tenjust
Becker	Dowling	Knapp	Prentice	Thompson G F
Bedell	Ellis	La Petra	Quinn	Thompson J A
Beebe	Etzel	Leggett	Reeve	Thonet
Beihilf	Evans	Lewis	Reilly	Tompkins
Bird	Fish	Machacek	Rigby	Waddell
Bisland	Foelker	Malloy	Rogers	Wagner
Brady	Foster	Mathews T F	Rosenstein	Wadsworth
Burnett	Francisco	Matthews C R	Salomon	Wainwright
Burns	Freidel	McKeown	Sammon	Wedemeyer
Burzynski	Fuller	McManus	Santee	West

Byrne	Gardner	Mead	Schoeneck	Wemple
Cadin	Gates	Merritt	Scovill	Whitney F G
Cahn	Grady	Miller	Shanahan	Whitney G H
Callahan	Grattan	Monroe	Sheehy	Wiegand
Carrier	Gray	Moreland	Sherry	Wilsnack
Caughlan	Gurnett	Murphy	Shuttleworth	Wilson
Charles E E	Hackett	Newton	Slocum	Wolf
Charles W B	Hammond	Nugent	Smith A P	Wood F C
Cooke	Hanford	Ogden	Smith J E	Wood F X
Coon	Hapeman	O'Neill	Smith J T	Yale
Coutant	Hartman	Parker	Smith R H	Young
Cowan	Hastings	Patton	Standart	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 892) entitled "An act to amend the Village Law, relating to the number of members of hose companies" (Int. No. 780), having been announced for a third reading,

On motion of Mr. Hooper, said bill was laid aside, and ordered stricken from the calendar.

The bill (No. 1761) entitled "An act compelling steamboat corporations to provide transfer facilities for passengers" (Int. No. 717), having been announced for a third reading,

On motion of Mr. Rigby, said bill was recommitted to the committee on commerce and navigation, retaining its place on the order of third reading.

The bill (No. 1320) entitled "An act to amend the Forest, Fish and Game Law, relative to grouse and woodcock not being sold" (Int. No. 1074), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 142

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith R H
Allen F E	Cunningham	Hornidge	Perry	Standart
Allen J G	Dale	Hubbs	Phillips	Stinley
Anderson	Dodd	Hurd	Plank	Steele

Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Tenjost
Becker	Ellis	La Fetra	Prentice	Thompson G F
Bedell	Etzel	La Rue	Prince	Thompson J A
Beebe	Evans	Lewis	Quinn	Thonet
Beihilf	Everett	Machacek	Reeve	Tompkins
Bird	Fish	Maier	Reilly	Waddell
Bisland	Fitzsimons	Malloy	Rigby	Wade
Brady	Foelker	Mathews T F	Rogers	Wagner
Brooks	Foster	Matthews C R	Rosenstein	Wadsworth
Burnett	Francisco	McKeown	Salomon	Wainwright
Burns	Freidel	McManus	Sammon	Wedemeyer
Byrne	Fuller	Mead	Santee	West
Cadin	Gardner	Merritt	Schoeneck	Wemple
Cahn	Gates	Miller	Scovill	Whitney F G
Callahan	Grattan	Monroe	Shanahan	Whitney G H
Carrier	Gray	Moreland	Sheehy	Wiegand
Caughlan	Gurnett	Newton	Sheldon	Wilsnack
Charles E E	Hackett	Nugent	Shuttleworth	Wilson
Charles W B	Hammond	Ogden	Slocum	Wolf
Cooke	Hanford	O'Neill	Smith A P	Wood F C
Coon	Hapeman	Palmer	Smith A E	Wood F X
Cotton	Hartman	Parker	Smith J E	Yale
Coutant	Hastings	Patton	Smith J T	Young
Cowan	Hooker			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1323) entitled "An act to amend the Forest, Fish and Game Law, relative to close season on woodcock" (Int. No. 1077), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hooker	O'Neill	Smith J T
Allen F E	Dodd	Hooper	Palmer	Standart
Allen J G	Donovan	Hornidge	Parker	Stanley
Anderson	Dowling	Hubbs	Patton	Steele
Apgar	Etzel	Hurd	Pendry	Sullivan
Bass	Evans	Kavanaugh	Perry	Tenjost
Becker	Everett	Knapp	Phillips	Thompson G F
Bedell	Fish	La Fetra	Plank	Thonet
Beihilf	Fitzsimons	La Rue	Pratt	Tompkins
Bird	Foelker	Leggett	Prentice	Waddell

Brady	Foster	Lewis	Quinn	Wade
Brooks	Francisco	Machacek	Reilly	Wagner
Burns	Freidel	Maier	Rigby	Wadsworth
Burzynski	Fuller	Malloy	Rogers	Wainwright
Byrne	Gardner	Mathews T F	Salomon	Wedemeyer
Cadin	Gates	Matthews C R	Sammon	West
Cahn	Grady	McKeown	Santee	Wemple
Carrier	Grattan	McManus	Scovill	Whitney F G
Caughlan	Gray	Mead	Shanahan	Whitney G H
Charles E E	Gurnett	Merritt	Sheldon	Wilsnack
Charles W B	Hackett	Miller	Sherry	Wilson
Coon	Hammond	Monroe	Shuttleworth	Wolf
Cotton	Hanford	Moreland	Slocum	Wood F C
Coutant	Hapeman	Murphy	Smith A P	Wood F X
Cox	Hartman	Newton	Smith A E	Yale
Cunningham	Hastings	Ogden	Smith J E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 743) entitled "An act to amend the Municipal Law, relative to debts, bonds and taxes for pavement purposes" (Int. No. 662), having been announced for a third reading,

On motion of Mr. Dowling, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 711) entitled "An act to provide for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 2 of the town of Wawarsing, Ulster county" (Int. No. 631), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Kavanaugh	Platt	Standart
Allen F E	Dodd	Knapp	Pratt	Stanley
Allen J G	Donovan	La Rue	Prentice	Steele
Anderson	Dowling	Leggett	Prince	Stevens
Apgar	Ellis	Lewis	Quinn	Sullivan
Becker	Evans	Machacek	Reeve	Tenjust
Bedell	Everett	Maier	Reilly	Thompson G F

Beebe	Fish	Malloy	Rigby	Thompson J A
Beihilf	Fitzsimons	Mathews T F	Rogers	Thonet
Bird	Foelker	Matthews C R	Rosenstein	Tompkins
Brady	Francisco	McKeown	Salomon	Waddell
Brooks	Freidel	McManus	Sammon	Wade
Burnett	Fuller	Mead	Santee	Wagner
Burns	Gates	Miller	Schoeneck	Wadsworth
Byrne	Grattan	Monroe	Seovill	Wainwright
Cadin	Gray	Moreland	Shanahan	Wedemeyer
Cahn	Hackett	Murphy	Sheehy	West
Carrier	Hammond	Newton	Sheldon	Wemple
Caughlan	Hanford	Nugent	Sherry	Whitney F G
Charles E E	Hapeman	Ogden	Shuttleworth	Wiegand
Charles W B	Hartman	O'Neill	Slocum	Wilsnack
Coon	Hastings	Palmer	Smith A P	Wilson
Cotton	Hooker	Parker	Smith A E	Wood F C
Coutant	Hooper	Pendry	Smith J E	Wood F X
Cowan	Hornidge	Perry	Smith J T	Yale
Cox	Hubbs	Phillips	Smith R H	Young
Cunningham	Hurd	Plank		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1734) entitled "An act to authorize trustees of the village of Sag Harbor, Suffolk county, to construct and maintain a wharf in such village" (Int. No. 1308), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hurd	Phillips	Standart
Allen F E	Dodd	Kavanaugh	Plank	Stanley
Allen J G	Donovan	Knapp	Platt	Steele
Anderson	Dowling	La Petra	Pratt	Stevens
Apgar	Etsel	La Rue	Prentice	Sullivan
Bass	Evans	Leggett	Prince	Tenlost
Becker	Everett	Lewis	Quinn	Thompson G F
Bedell	Fish	Machacek	Reeve	Thompson J A
Beebe	Foelker	Maier	Reilly	Thonet
Beihilf	Foster	Malloy	Rigby	Tompkins
Bird	Francisco	Mathews T F	Rogers	Waddell
Bisland	Freidel	Matthews C R	Rosenstein	Wade
Brady	Fuller	McKeown	Salomon	Wagner

Brooks	Gardner	McManus	Sammon	Wadsworth
Burnett	Gates	Mead	Santee	Wainwright
Burns	Grady	Merritt	Schoeneck	Wedemeyer
Byrne	Grattan	Miller	Scovill	West
Cadin	Gray	Moreland	Shanahan	Wemple
Callahan	Gurnett	Murphy	Sheehy	Whitney F G
Carrier	Hammond	Newton	Sheldon	Wiegand
Caughlan	Hanford	Nugent	Sherry	Wilsnack
Charles E E	Hapeman	Ogden	Shuttleworth	Wilson
Charles W B	Hartman	O'Neill	Slocum	Wolf
Coon	Hastings	Palmer	Smith A P	Wood F C
Cotton	Hooker	Parker	Smith A E	Wood F X
Coutant	Hooper	Patton	Smith J E	Yale
Cowan	Hornidge	Pendry	Smith J T	Young
Cunningham	Hubbs	Perry	Smith R H	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1848) entitled "An act to amend the Civil Service Law, relating to the qualification of applicants for civil service examinations" (Int. No. 386), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hooker	Parker	Smith J T
Allen F E	Coutant	Hooper	Patton	Smith R H
Allen J G	Cowan	Hubbs	Pendry	Standart
Anderson	Cox	Hurd	Perry	Stanley
Apgar	Cunningham	Knapp	Phillips	Steele
Bass	Dale	La Fetra	Plank	Sullivan
Becker	Dodd	La Rue	Platt	Tenjust
Bedell	Donovan	Leggett	Pratt	Thompson J A
Beebe	Dowling	Lewis	Prentice	Thonet
Beihlf	Ellis	Machacek	Prince	Tompkins
Bird	Etsel	Maier	Quinn	Waddell
Bisland	Evans	Malloy	Reeve	Wade
Brady	Everett	Mathews T F	Reilly	Wagner
Brooks	Fish	Matthews C R	Rigby	Wadsworth
Burnett	Fitzsimons	McKeown	Rogers	Wainwright
Burns	Foster	McManus	Salomon	Wedemeyer
Burzynski	Francisco	Mead	Sammon	Wemple
Byrne	Freidel	Merritt	Santee	Whitney F G
Cadin	Fuller	Miller	Scovill	Whitney G H
Cahn	Gates	Monroe	Shanahan	Wiegand
Callahan	Grady	Moreland	Sheehy	Wilson
Carrier	Gray	Murphy	Sheldon	Wolf

Caughlan	Gurnett	Newton	Shuttleworth	Wood F C
Charles E E	Hackett	Nugent	Slocum	Wood F X
Charles W B	Hammond	Ogden	Smith A P	Yale
Cooke	Hapeman	O'Neill	Smith A E	Young
Coon	Hartman	Palmer		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1849) entitled "An act to amend the Railroad Law, in relation to the consents of property owners to the construction of street railroads in the county of Kings" (Int. No. 612), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 112

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Palmer	Smith A E
Allen F E	Cox	Hooper	Parker	Smith J E
Anderson	Cunningham	Hornidge	Patton	Smith R H
Apgar	Dale	Hurd	Pendry	Standart
Bass	Dodd	Kavanaugh	Perry	Steele
Becker	Dowling	La Fetra	Phillips	Stevens
Bedell	Ellis	La Rue	Plank	Tenjost
Beihliff	Etzel	Lewis	Platt	Thompson G F
Bird	Evans	Machacek	Prentice	Thonet
Bisland	Fish	Malloy	Prince	Waddell
Brady	Fitzsimons	Mathews T F	Reeve	Wagner
Brooks	Foelker	Matthews C R	Reilly	Wadsworth
Burnett	Foster	McKeown	Rigby	Wedemeyer
Burns	Freidel	McManus	Rogers	West
Byrne	Fuller	Mead	Salomon	Whitney F G
Cadin	Gates	Miller	Sammon	Whitney G H
Cahn	Grady	Monroe	Schoeneck	Wilsnack
Caughlan	Grattan	Moreland	Scovill	Wolf
Charles E E	Gurnett	Murphy	Sheehy	Wood F C
Charles W B	Hackett	Newton	Sheldon	Wood F X
Coon	Hammond	Nugent	Shuttleworth	Yale
Cotton	Hanford	O'Neill	Slocum	Young
Coutant	Hartman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1322) entitled "An act to amend the Forest, Fish and Game Law, relative to Jamaica bay and adjacent waters" (Int. No. 1076), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Patton	Smith A E
Allen F E	Cox	Hornidge	Pendry	Smith J E
Allen J G	Cunningham	Hurd	Perry	Smith J T
Anderson	Dale	Kavanaugh	Phillips	Smith R H
Apgar	Donovan	La Fetra	Plank	Standart
Bass	Dowling	La Rue	Platt	Steele
Becker	Etsel	Lewis	Pratt	Stevens
Bedell	Evans	Machacek	Prentice	Sullivan
Beebe	Everett	Maier	Prince	Thompson G F
Bird	Fish	Malloy	Reeve	Thompson J A
Bisland	Fitzsimons	Mathews T F	Reilly	Tompkins
Brady	Foelker	Mathews C R	Rigby	Wade
Brooks	Foster	McKeown	Rogers	Wagner
Burnett	Francisco	McManus	Rosenstein	Wainwright
Burns	Freidel	Mead	Salomon	Wedemeyer
Burzynski	Fuller	Miller	Sammon	Wemple
Byrne	Gardner	Monroe	Santee	Whitney F G
Cadin	Grady	Moreland	Schoeneck	Whitney G H
Cahn	Grattan	Murphy	Scovill	Wiegand
Carrier	Gurnett	Newton	Sheehy	Wilson
Charles E E	Hackett	Nugent	Sheldon	Wood F C
Charles W B	Hanford	Ogden	Sherry	Wood F X
Cooke	Hapeman	O'Neill	Slocum	Yale
Coon	Hartman	Palmer	Smith A P	Young
Coutant	Hastings	Parker		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1847) entitled "An act to amend the Tax Law, in relation to the notice of completion of assessment roll and grievance day" (Int. No. 606), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

AYES 130

Those who voted in the affirmative were:

Agnew	Cunningham	Knapp	Plank	Stanley
Allen F E	Dale	La Rue	Platt	Steele
Allen J G	Dodd	Leggett	Pratt	Sullivan
Apgar	Dowling	Lewis	Prentice	Tenjost
Bass	Fitzsimons	Maier	Quinn	Thompson G F
Becker	Ellis	Malloy	Reeve	Thompson J A
Beebe	Evans	Mathews T F	Reilly	Thonet
Beihlf	Everett	Mathews C R	Rigby	Waddell
Bird	Fish	McKeown	Rogers	Wade
Bisland	Foelker	McManus	Rosenstein	Wagner
Brady	Foster	Mead	Salomon	Wadsworth
Burnett	Freidel	Merritt	Sammon	Wainwright
Burns	Fuller	Monroe	Santee	Wedemeyer
Burzynski	Gates	Moreland	Schoeneck	West
Byrne	Grady	Murphy	Shanahan	Whitney F G
Cahn	Gray	Newton	Sheehy	Whitney G H
Carrier	Hackett	Nugent	Sheldon	Wiegand
Caughlan	Hanford	Ogden	Shuttleworth	Wilsnack
Charles E E	Hapeman	O'Neill	Slocum	Wilson
Charles W B	Hastings	Palmer	Smith A P	Wolf
Coon	Hooker	Parker	Smith A E	Wood F X
Cotton	Hornidge	Patton	Smith J E	Yale
Coutant	Hubbs	Pendry	Smith R H	Young
Cowan	Kavanaugh	Perry	Standart	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1802) entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' relative to revising several sections of said charter" (Int. No. 948), having been announced for a third reading,

On motion of Mr. Evans, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1437) entitled "An act to legalize, ratify and confirm a special election held in the village of Hoosick Falls, county of Rensselaer, for the purpose of voting upon a proposition submitted thereat for the purchase by such village of certain real property and the issuance of bonds for the payment of the purchase price thereof, and for the erection and equipment of a

village building thereon" (Int. No. 1150), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 00

Those who voted in the affirmative were:

Agnew	Dodd	La Rue	Pratt	Smith R H
Allen F E	Donovan	Lewis	Prentice	Stanley
Anderson	Dowling	Machacek	Prince	Steele
Apgar	Ellis	Malloy	Quinn	Sullivan
Bass	Etzel	Mathews T F	Reeve	Tenjust
Becker	Everett	Matthews C R	Reilly	Thompson J A
Bedell	Fish	McKeown	Rigby	Thonet
Beebe	Fitzsimons	McManus	Rogers	Tompkins
Bird	Foelker	Mead	Rosenstein	Wade
Bisland	Francisco	Merritt	Salomon	Wagner
Brooks	Freidel	Miller	Sammon	*Wadsworth
Burns	Fuller	Monroe	Santee	Wainwright
Burzynski	Gates	Moreland	Schoeneck	Wedemeyer
Byrne	Grattan	Murphy	Scovill	West
Cahn	Gray	Nugent	Shanahan	Wemple
Callahan	Gurnett	Ogden	Sheehy	Whitney G H
Caughlan	Hammond	O'Neill	Sheldon	Wiegand
Charles E E	Hapeman	Palmer	Sherry	Wilsnack
Charles W B	Hastings	Parker	Shuttleworth	Wilson
Cooke	Hooker	Patton	Smith A P	Wood F C
Coon	Hooper	Pendry	Smith A E	Wood F X
Coutant	Hubbs	Perry	Smith J E	Yale
Cowan	Kavanaugh	Plank	Smith J T	Young
Cox	Kuapp	Platt		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 588) entitled "An act to amend the charter of the city of New Rochelle in relation to the leasing of certain privileges in Hudson park" (Rec. No. 147), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hartman	Parker	Smith J E
Allen F E	Coutant	Hastings	Patton	Smith J T
Allen J G	Cowan	Hooper	Pendry	Smith R H
Anderson	Cox	Hornidge	Perry	Standart
Apgar	Cunningham	Hurd	Phillips	Steele
Bass	Dale	Knapp	Plank	Stevens
Becker	Dodd	La Fetra	Platt	Sullivan
Bedell	Donovan	La Rue	Pratt	Thompson G F
Beebe	Dowling	Leggett	Prentice	Thompson J A
Beihlf	Ellis	Lewis	Prince	Thonet
Bird	Etsel	Maier	Quinn	Tompkins
Bisland	Evans	Malloy	Reeve	Waddell
Brady	Fish	Mathews T F	Reilly	Wade
Brooks	Fitzsimons	Matthews C R	Rogers	Wadsworth
Burnett	Foelker	McKeown	Rosenstein	Wedemeyer
Burns	Foster	McManus	Salomon	West
Burzynski	Francisco	Mead	Sammon	Wemple
Byrne	Freidel	Merritt	Santee	Whitney F G
Cadin	Fuller	Miller	Schoeneck	Whitney G H
Cahn	Gardner	Monroe	Shanahan	Wilsnack
Callahan	Gates	Moreland	Sheehy	Wilson
Carrier	Grady	Murphy	Sheldon	Wolf
Caughlan	Gray	Newton	Sherry	Wood F C
Charles E E	Gurnett	Nugent	Shuttleworth	Wood F X
Charles W B	Hackett	Ogden	Slocum	Yale
Cooke	Hammond	O'Neill	Smith A P	Young
Coon	Hapeman	Palmer	Smith A E	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Pursuant to notice, Mr. Cox called up the bill (No. 709) entitled "An act to authorize the city of Buffalo to convey by quit-claim deed to the Delaware, Lackawanna and Western Railroad Company and the New York, Lackawanna and Western Railway Company a part of Liberty street in said city" (Int. No. 629), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. Cox, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1871) entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit

and allow and also authorizing the comptroller of the city of New York to pay to certain persons compensation for services actually rendered to the city of New York in the school board in the year 1899 " (Int. No. 1011), was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 779, Assembly reprint No. 1869) entitled "An act extending the powers of the trustees of the Thousand Island Park Association, and to regulate and control the construction and repair of sidewalks upon the roads, streets and avenues of said association" (Rec. No. 165), was read the second time.

On motion of Mr. La Rue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1872) entitled "An act authorizing the board of education of the city of New York to provide for the construction of swimming pools and the employment of instructors thereat" (Int. No. 965), was read the second time.

On motion of Mr. Rosenstein, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1874) entitled "An act to amend the Greater New York charter, relative to the salaries of officers" (Int. No. 1145), was read the second time.

On motion of Mr. La Fetra, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1875) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' authorizing the city of Niagara Falls to issue sewer bonds, and to legalize sewer bonds of said city already issued, and to provide for the payment of certain deficiencies in the city funds existing on January 1, 1905" (Int. No. 1284), was read the second time.

On motion of Mr. Leggett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1876) entitled "An act to provide for the erection

of a new high school in the city of Syracuse" (Int. No. 1190), was read the second time.

On motion of Mr. Schoeneck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1881) entitled "An act to establish a State Water Commission, to define its powers and duties, and making an appropriation therefor" (Int. No. 976), was read the second time.

On motion of Mr. Agnew, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1882) entitled "An act authorizing the town of Middletown, Delaware county, to issue bonds to retire outstanding certificates of indebtedness against said town" (Int. No. 1257), was read the second time.

On motion of Mr. Cowan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1671) entitled "An act to change the name of 'The Lockport Home for the Friendless' to 'The Home for the Friendless at Lockport'" (Int. No. 1291), was read the second time.

On motion of Mr. G. F. Thompson, said bill was placed on the order of third reading.

On motion of Mr. G. F. Thompson, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Knapp	Phillips	Smith J T
Allen F E	Dodd	La Rue	Plank	Smith R H
Allen J G	Donovan	Leggett	Platt	Stanley
Apgar	Ellis	Machacek	Pratt	Steele
Bass	Etsel	Maier	Prentice	Stevens
Becker	Evans	Malloy	Prince	Sullivan
Bedell	Everett	Mathews T F	Quinn	Tenjost

Beihlf	Fish	Matthews C R	Reeve	Thompson J A
Bird	Fitzsimons	McKeown	Reilly	Thonet
Bisland	Foelker	McManus	Rigby	Tompkins
Brady	Francisco	Mead	Rogers	Waddell
Brooks	Freidel	Merritt	Rosenstein	Wade
Burnett	Gardner	Miller	Salomon	Wadsworth
Burzynski	Grady	Monroe	Sammon	Wainwright
Byrne	Grattan	Moreland	Santee	West
Cadin	Gurnett	Murphy	Schoeneck	Wemple
Cahn	Hackett	Newton	Scovill	Whitney F G
Callahan	Hammond	Nugent	Shanahan	Whitney G H
Carrier	Hapeman	Ogden	Sheehy	Wilsnack
Caughlan	Hartman	O'Neill	Sheldon	Wilson
Charles E E	Hooker	Palmer	Sherry	Wolf
Cooke	Hooper	Parker	Shuttleworth	Wood F C
Coon	Hubbs	Patton	Slocum	Wood F X
Cotton	Hurd	Pendry	Smith A P	Yale
Callahan	Kavanaugh	Perry	Smith A E	Young
Cunningham				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1592) entitled "An act to legalize the acts of B. F. Cahill, a notary public" (Int. No. 1237), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

On motion of Mr. Wainwright, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 116

NOES 00

Those who voted in the affirmative were:

Agnew	Ellis	La Rue	Plank	Smith J E
Allen F E	Evans	Leggett	Platt	Smith R H
Allen J G	Everett	Machacek	Pratt	Standart
Apgar	Fish	Malloy	Prentice	Stanley
Bass	Fitzsimons	Mathews T F	Prince	Stevens
Becker	Foster	Matthews C R	Quinn	Sullivan
Beebe	Francisco	McKeown	Reeve	Tenjust
Beihlf	Fuller	McManus	Rigby	Thompson G F
Bird	Gates	Mead	Rogers	Tompkins

Brady	Grady	Merritt	Rosenstein	Waddell
Burnett	Gray	Miller	Salomon	Wagner
Cadin	Gurnett	Monroe	Sammon	Wadsworth
Cahn	Hackett	Moreland	Santee	Wedemeyer
Carrier	Hammond	Murphy	Schoeneck	Wemple
Caughlan	Hapeman	Newton	Scovill	Whitney G H
Charles E E	Hartman	Nugent	Shanahan	Wiegand
Cooke	Hastings	Ogden	Sheehy	Wilsnack
Coon	Hooker	O'Neill	Sheldon	Wilson
Coutant	Hooper	Palmer	Sherry	Wolf
Cowan	Hornidge	Parker	Shuttleworth	Wood F C
Cunningham	Hurd	Patton	Slocum	Wood F X
Dale	Kavanaugh	Pendry	Smith A P	Yale
Donovan	La Fetra	Perry	Smith A E	Young
Dowling				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1823) entitled "An act to amend chapter 441 of the Laws of 1899, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Oneida county" (Int. No. 1356), was read the second time.

On motion of Mr. Gates, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1828) entitled "An act to incorporate Phipps Houses" (Int. No. 1361), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

On motion of Mr. Prentice, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Parker	Smith J E
Allen F E	Cowan	Hooper	Patton	Smith J T
Allen J G	Cox	Hornidge	Pendry	Standart
Anderson	Cunningham	Hubbs	Perry	Steele
Apgar	Dale	Kavanaugh	Phillips	Stevens

Bass	Dodd	Knapp	Plank	Sullivan
Becker	Donovan	La Fetra	Platt	Tenjost
Bedell	Ellis	La Rue	Prentice	Thompson J A
Beebe	Etzel	Leggett	Prince	Thonet
Beihlf	Evans	Lewis	Quinn	Tompkins
Bird	Everett	Maier	Reeve	Waddell
Bisland	Fish	Mathews T F	Reilly	Wade
Brady	Fitzsimons	Matthews C R	Rigby	Wagner
Brooks	Foster	McKeown	Rogers	Wadsworth
Burnett	Francisco	McManus	Rosenstein	Wainwright
Burns	Fuller	Mead	Salomon	West
Burzynski	Gardner	Merritt	Sammon	Wemple
Cadin	Gates	Miller	Santee	Whitney F G
Cahn	Grady	Monroe	Scovill	Whitney G H
Callahan	Grattan	Moreland	Shanahan	Wiegand
Carrier	Gray	Murphy	Sheehy	Wilson
Charles E E	Gurnett	Newton	Sherry	Wolf
Charles W B	Hackett	Nugent	Shuttleworth	Wood F C
Cooke	Hammond	Ogden	Slocum	Wood F X
Coon	Hanford	O'Neill	Smith A P	Yale
Cotton	Hartman	Palmer	Smith A E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1778) entitled "An act appropriating certain lands in the city of Oswego to the use of the Oswego Hospital" (Int. No. 1327), was read the second time.

On motion of Mr. Lewis, said bill was placed on the order of third reading.

On motion of Mr. Lewis, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hurd	Phillips	Smith J T
Allen F E	Dale	Kavanaugh	Plank	Smith R H
Anderson	Donovan	La Fetra	Platt	Standart
Apgar	Dowling	La Rue	Pratt	Stanley
Bass	Ellis	Leggett	Prentice	Stevens
Becker	Etzel	Lewis	Prince	Sullivan
Bedell	Evans	Maier	Quinn	Tenjost

Beihliff	Fish	Malloy	Reeve	Thompson G F
Bird	Fitzsimons	Matthews C R	Reilly	Thompson J A
Bisland	Foelker	McKeown	Rigby	Thonet
Brady	Foster	McManus	Rogers	Tompkins
Burnett	Francisco	Mead	Rosenstein	Waddell
Burns	Freidel	Merritt	Salomon	Wade
Burzynski	Fuller	Miller	Sammon	Wagner
Cadin	Gardner	Monroe	Santee	Wainwright
Cahn	Gates	Moreland	Schoeneck	Wedemeyer
Carrier	Grady	Murphy	Scovill	West
Caughlan	Grattan	Newton	Shanahan	Whitney F G
Charles E E	Gray	Nugent	Sheehy	Whitney G H
Charles W B	Hackett	Ogden	Sheldon	Wilsnack
Cooke	Hammond	O'Neill	Sherry	Wolf
Coon	Hapeman	Palmer	Shuttleworth	Wood F C
Cotton	Hartman	Parker	Slocum	Wood F X
Coutant	Hastings	Patton	Smith A P	Yale
Cowan	Hooker	Pendry	Smith J E	Young
Cox	Hornidge	Perry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1783) entitled "An act for the relief of the minor daughter of Joseph Parker, a volunteer fireman, whose death resulted from injuries received by him while in the actual performance of his duties, and while a member of Granite Hook and Ladder Company No. 2, a volunteer fire company of the city of New York" (Int. No. 1333), was read the second time.

On motion of Mr. Wedemeyer, said bill was placed on the order of third reading.

On motion of Mr. Wedemeyer, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	Patton	Smith J T
Allen F E	Cowan	Hooker	Pendry	Smith R H
Allen J G	Cox	Hornidge	Perry	Stanley
Anderson	Cunningham	Hurd	Phillips	Steele

Apgar	Dodd	Kavanaugh	Platt	Sullivan
Bass	Donovan	La Fetra	Pratt	Tenjost
Becker	Dowling	Leggett	Prentice	Thompson G F
Bedell	Ellis	Lewis	Prince	Thonet
Beihluf	Etzel	Machacek	Quinn	Tompkins
Bird	Evans	Maier	Reeve	Waddell
Bisland	Everett	Malloy	Reilly	Wade
Brady	Fish	Mathews T F	Rigby	Wagner
Brooks	Fitzsimons	Matthews C R	Rogers	Wainwright
Burnett	Foelker	McKeown	Rosenstein	Wedemeyer
Burns	Foster	McManus	Sammon	Wemple
Burzynski	Francisco	Mead	Santee	Whitney F G
Byrne	Freidel	Miller	Schoeneck	Whitney G H
Cahn	Gardner	Monroe	Scovill	Wiegand
Callahan	Gates	Murphy	Shanahan	Wilsnack
Carrier	Grady	Newton	Sheehy	Wolf
Caughlan	Grattan	Nugent	Sheldon	Wood F C
Charles W B	Gurnett	Ogden	Shuttleworth	Wood F X
Cooke	Hackett	O'Neill	Slocum	Yale
Coon	Hammond	Palmer	Smith A P	Young
Cotton	Hapeman	Parker	Smith J E	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1808) entitled "An act to amend section 11 of title 6 of chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' as amended by chapter 241 of the Laws of 1899, as amended by chapter 477 of the Laws of 1903" (Int. No. 1341), was read the second time.

On motion of Mr. Rigby, said bill was placed on the order of third reading.

On motion of Mr. Rigby, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117

NOES 00

Those who voted in the affirmative were:

Agnew	Cooke	Hapeman	Palmer	Smith J E
Allen F E	Coon	Hartman	Parker	Smith J T
Allen J G	Cotton	Hastings	Pendry	Smith R H
Anderson	Coutant	Hooker	Phillips	Stanley

Bass	Cox	Hooper	Plank	Steele
Becker	Dale	Hubbs	Platt	Sullivan
Bedell	Dodd	Kavanaugh	Pratt	Tenjost
Beebe	Donovan	Knapp	Prentice	Thompson G F
Beihlf	Dowling	La Rue	Prince	Thonet
Bird	Ellis	Leggett	Reeve	Tompkins
Bisland	Etzel	Lewis	Reilly	Wade
Brady	Evans	Malloy	Rogers	Wagner
Brooks	Everett	Mathews T F	Rosenstein	Wainwright
Burnett	Fish	Matthews C R	Salomon	Wedemeyer
Burns	Fitzsimons	McKeown	Sammon	West
Burzynski	Foelker	McManus	Schoeneck	Whitney F G
Byrne	Francisco	Mead	Scovill	Whitney G H
Cadin	Freidel	Merritt	Sheehy	Wilsnack
Cahn	Fuller	Miller	Sheldon	Wilson
Callahan	Gardner	Moreland	Sherry	Wolf
Carrier	Grady	Murphy	Shuttleworth	Wood F X
Caughlan	Grattan	Nugent	Slocum	Yale
Charles E E	Gray	Ogden	Smith A P	Young
Charles W B	Hammond			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1815) entitled "An act to amend the Greater New York charter, in relation to the appointment of patrolmen" (Int. No. 1348), was read the second time.

On motion of Mr. Sherry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1864) entitled "An act to prohibit the construction of any railroad on Livingston street in the borough of Brooklyn in the city of New York" (Int. No. 1366), having been announced for a second reading,

On motion of Mr. O'Neill, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1865) entitled "An act to amend the Greater New York charter, relative to Anniversary day, so called, as a holiday in the public schools of the borough of Brooklyn, city of New York" (Int. No. 1367), was read the second time.

On motion of Mr. Murphy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1866) entitled "An act to provide for the expense of widening Livingston street in the borough of Brooklyn, in the city of New York" (Int. No. 1368), having been announced for a second reading,

On motion of Mr. O'Neill, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1534) entitled "An act to amend the Insurance Law relative to mutual benefit fraternities" (Int. No. 1200), was read the second time.

On motion of Mr. Mead, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 839) entitled "An act to amend the Insurance Law in relation to the incorporation of fraternal beneficiary societies, orders or associations" (Int. No. 740), was read the second time.

On motion of Mr. Tompkins, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1294) entitled "An act in relation to classification of inspectors in departments of health in cities of the first class" (Int. No. 1048), was read the second time.

On motion of Mr. Brooks, said bill was placed on the order of third reading.

On motion of Mr. Brooks, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 313) entitled "An act to amend chapter 357 of the Laws of 1903 to provide for the payment of a salary to Frederick A. King, probation officer in the city magistrates' courts of the first division, of the city of New York" (Int. No. 313), was read the second time.

On motion of Mr. Young, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 439) entitled "An act to amend the Greater New York charter, relative to certain officers of the municipal court of the city of New York" (Int. No. 418), was read the second time.

On motion of Mr. Young, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 532) entitled "An act to amend chapter 105 of

the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof, in relation to obtaining expressions of opinion of electors on questions of public policy at general elections" (Int. No. 492), was read the second time.

On motion of Mr. Cox, said bill was placed on the order of third reading.

On motion of Mr. Cox, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 533) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof, in relation to submitting to the people of Buffalo at elections, ordinances, resolutions or acts of the common council and board of park commissioners of Buffalo, granting property or franchises to persons or corporations" (Int. No. 493), was read the second time.

On motion of Mr. Cox, said bill was placed on the order of third reading.

On motion of Mr. Cox, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1772) entitled "An act to repeal section 6 of title 10 of chapter 416 of the Laws of 1893 entitled 'An act in relation to the city court of Yonkers'" (Int. No. 1321), was read the second time.

On motion of Mr. Rigby, said bill was placed on the order of third reading.

On motion of Mr. Rigby, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Perry	Smith R H
Allen F E	Dale	Hurd	Phillips	Standart
Anderson	Dodd	Knapp	Plank	Steele
Apgar	Donovan	La Fetra	Platt	Stevens
Becker	Dowling	Leggett	Pratt	Sullivan
Bedell	Etzel	Lewis	Prentice	Tenjost
Beebe	Evans	Maier	Prince	Thompson G F
Beihlf	Everett	Malloy	Quinn	Thompson J A
Bird	Fish	Mathews T F	Reeve	Thonet
Bisland	Fitzsimons	Matthews C R	Reilly	Tompkins
Brady	Foelker	McKeown	Rigby	Wade
Brooks	Foster	McManus	Rosenstein	Wagner
Burns	Francisco	Mead	Salomon	Wadsworth
Burzynski	Freidel	Miller	Sammon	Wainwright
Byrne	Fuller	Monroe	Schoeneck	West
Cadin	Gardner	Moreland	Scovill	Whitney F G
Callahan	Gates	Murphy	Shanahan	Whitney G H
Carrier	Grady	Newton	Sheehy	Wiegand
Caughlan	Gray	Nugent	Sheldon	Wilsnack
Charles E E	Hackett	Ogden	Sherry	Wolf
Charles W B	Hammond	O'Neill	Shuttleworth	Wood F C
Cooke	Hapeman	Palmer	Smith A P	Wood F X
Cotton	Hartman	Parker	Smith A E	Yale
Coutant	Hastings	Patton	Smith J E	Young
Cowan	Hooper	Pendry	Smith J T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1503) entitled "An act to amend the Forest, Fish and Game Law in relation to the compensation of game protectors and the disposition of proceeds of actions" (Int. No. 1194), having been announced for a second reading,

On motion of Mr. F. C. Wood, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1092) entitled "An act to amend the Forest, Fish and Game Law, relative to taking fish with nets in Lake Ontario" (Int. No. 911), was read the second time.

On motion of Mr. Wilson, said bill was placed on the order of third reading.

On motion of Mr. Thompson, said bill was recommitted to the committee on fisheries and game, retaining its place on the order of third reading.

The bill (No. 1726) entitled "An act to amend the Greater New

York charter, relative to the acquisition of lands and water-rights and the use of waters in Putnam county " (Int. No. 1021), was read the second time.

On motion of Mr. Yale, said bill was placed on the order of third reading.

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1798) entitled "An act to provide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects " (Int. No. 26), was read the second time.

On motion of Mr. Tompkins, said bill was placed on the order of third reading.

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1873) entitled "An act to amend the act to provide for rapid transit railways in cities of over 1,000,000 inhabitants; relative to the construction of elevated railways in city streets " (Int. No. 507), was read the second time.

On motion of Mr. Freidel, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1728) entitled "An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties " (Int. No. 255), was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 612) entitled "An act to amend the Insurance Law, as to how surplus profits are to be estimated in the case of domestic fire insurance corporations" (Rec. No. 203), was read the second time.

On motion of Mr. Lewis, said bill was placed on the order of third reading.

The Senate bill (No. 874) entitled "An act to amend the Banking Law with reference to a semi-annual examination by directors of banks and trust companies" (Rec. No. 196), was read the second time.

On motion of Mr. E. E. Charles, said bill was placed on the order of third reading.

The Senate bill (No. 875) entitled "An act to amend the Banking Law relative to communications from the Banking Department to banks, savings banks and trust companies" (Rec. No. 187), was read the second time.

On motion of Mr. Cox, said bill was placed on the order of third reading.

The Senate bill (No. 852) entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to health districts" (Rec. No. 191), was read the second time.

On motion of Mr. Ogden, said bill was placed on the order of third reading.

The Senate bill (No. 860) entitled "An act relating to the investment, by the chamberlain of the city of New York, of funds or moneys paid into court in the counties of New York, Kings, Queens and Richmond" (Rec. No. 210), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

The Senate bill (No. 789) entitled "An act to amend chapter 413 of the Laws of 1892, entitled 'An act to provide for the construction of a draw-bridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city,' as amended by chapter 540 of the Laws of

1894, and as amended by chapter 716 of the Laws of 1896" (Rec. No. 195), was read the second time.

On motion of Mr. Stanley, said bill was placed on the order of third reading.

Mr. Sheldon called up Assembly bill No. 517, entitled "An act to amend the Poor Law, in relation to the relief of Indians in case of epidemic" (Int. No. 291), heretofore recalled from the Governor pursuant to concurrent resolution of the Senate and Assembly.

Mr. Sheldon moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hurd	Pratt	Stanley
Allen F E	Cox	Kavanaugh	Prentice	Steele
Allen J G	Cunningham	La Fetra	Prince	Stevens
Anderson	Dodd	La Rue	Quinn	Sullivan
Apgar	Donovan	Leggett	Reeve	Tenjost
Bass	Dowling	Lewis	Reilly	Thompson G F
Becker	Ellis	Maier	Rigby	Thompson J A
Bedell	Etsel	Malloy	Rogers	Thonet
Beebe	Evans	Mathews T F	Rosenstein	Tompkins
Beihlf	Everett	Matthews C R	Salomon	Waddell
Bird	Fitzsimons	McKeown	Sammon	Wagner
Bisland	Foelker	McManus	Santee	Wadsworth
Brady	Foster	Mead	Schoeneck	Wainwright
Brooks	Francisco	Miller	Scovill	Wedemeyer
Burns	Fuller	Monroe	Shanahan	West
Burzynski	Gardner	Moreland	Sheldon	Whitney F G
Byrne	Gates	Newton	Sherry	Whitney G H
Cadin	Grattan	Nugent	Shuttleworth	Wiegand
Cahn	Gray	O'Neill	Slocum †	Wilsnack
Carrier	Gurnett	Palmer	Smith A P	Wilson
Caughlan	Hackett	Parker	Smith A E	Wolf
Charles E E	Hanford	Patton	Smith J E	Wood F C
Charles W B	Hartman	Perry	Smith J T	Wood F X
Cooke	Hastings	Phillips	Smith R H	Yale
Coon	Hooper	Plank	Standart	Young
Cotton	Hornidge	Platt		

Mr. Sheldon moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith amended as follows:

Amend the title to read as follows:

“An act to amend the public health law, in relation to the relief of indigent Indians in case of epidemic.”

Strike out all after the enacting clause and insert the following:

“Section 1. Chapter six hundred and sixty-one of the laws of eighteen hundred and ninety-three, entitled ‘An act in relation to the public health, constituting chapter twenty-five of the general laws,’ is hereby amended by adding a new section to be section thirty-a, and to read as follows:

“§ 30-a. Relief of indigent Indians in case of epidemic.—Whenever an epidemic of a contagious or infectious disease shall prevail among the Indians of any nation, tribe or band in this state, the overseer of the poor of any town in which the reservation of such nation, tribe or band, is wholly or partly situated, may in accordance with rules and regulations adopted by the state commissioner of health, cause needed medical attendance, provisions and maintenance to be furnished to any indigent Indian residing in the town, who, or a member of whose family, is afflicted with such disease while such disease shall continue; and the cost thereof after being audited as herein provided shall be a state charge. A verified statement of any expenses incurred under this section shall be transmitted by the overseer of the poor to the state commissioner of health. Such commissioner shall examine into the matter, and if satisfied that such expenses were properly and necessarily incurred in accordance with the rules and regulations of the state commissioner of health, shall audit and allow the same, and when so audited, the amount thereof shall be paid by the state treasurer on the warrant of the comptroller, to such overseer of the poor.

“§ 2. This act shall take effect immediately.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sheldon, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the bill (No. 631, Senate reprint No. 932) entitled "An act authorizing the treasurer of the city of Utica to appoint a bookkeeper" (Int. No. 229), with a message that they have concurred in the passage of the same with the following amendment:

Page 2, strike out all from and after period in line 1 to and including the period in line 5.

Mr. Gates moved to concur in the Senate amendment.

The Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hornidge	Plank	Standart
Allen F E	Cowan	Hurd	Platt	Stanley
Allen J G	Cox	Kavanaugh	Pratt	Steele
Anderson	Cunningham	Knapp	Prentice	Stevens
Apgar	Dale	La Rue	Quinn	Tenjost
Bass	Dodd	Lewis	Reeve	Thompson G F
Becker	Dowling	Malloy	Reilly	Thompson J A
Bedell	Ellis	Mathews T F	Rigby	Tompkins
Beebe	Etzel	Matthews C R	Rogers	Waddell
Beihilf	Evans	McKeown	Rosenstein	Wade
Bird	Fish	McManus	Sammon	Wagner
Bisland	Fitzsimons	Mead	Santee	Wadsworth
Brooks	Foelker	Miller	Schoeneck	Wainwright
Burnett	Francisco	Monroe	Scovill	Wedemeyer
Burns	Freidel	Moreland	Shanahan	West
Burzynski	Fuller	Murphy	Sheehy	Wemple
Byrne	Gates	Newton	Sheldon	Whitney F G
Cahn	Grady	Ogden	Sherry	Whitney G H
Callahan	Grattan	O'Neill	Shuttleworth	Wilsnack
Carrier	Gray	Palmer	Slocum	Wilson
Caughlan	Hackett	Parker	Smith A P	Wolf
Charles E E	Hammond	Patton	Smith A E	Wood F C
Charles W B	Hanford	Pendry	Smith J E	Wood F X
Cooke	Hartman	Perry	Smith J T	Yale
Coon	Hastings	Phillips	Smith R H	Young
Cotton	Hooper			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

Mr. Hammond called up Assembly bill No. 699, entitled "An act to amend the Real Property Law, relative to the postponement or subordination of liens upon real property" (Int. No. 210), heretofore recalled from the Governor pursuant to concurrent resolution of the Senate and Assembly.

Mr. Hammond moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Parker	Smith J T
Allen F E	Cox	Hooper	Patton	Smith R H
Anderson	Cunningham	Hornidge	Pendry	Standart
Apgar	Dodd	Hubbs	Perry	Stanley
Bass	Donovan	Hurd	Phillips	Steele
Bedell	Ellis	Kavanaugh	Plank	Stevens
Beebe	Etzel	La Fetra	Pratt	Thompson G F
Beihliff	Evans	La Rue	Prentice	Thonet
Bird	Everett	Leggett	Prince	Tompkins
Bisland	Fish	Lewis	Quinn	Waddell
Brady	Foelker	Machacek	Reeve	Wade
Brooks	Francisco	Malloy	Reilly	Wadsworth
Burnett	Freidel	Mathews T F	Rigby	Wainwright
Burzynski	Gardner	Matthews C R	Rosenstein	Wedemeyer
Byrne	Gates	McKeown	Sammon	Wemple
Cadin	Grady	McManus	Santee	Whitney F G
Cahn	Grattan	Mead	Schoeneck	Whitney G H
Callahan	Gray	Miller	Shanahan	Wiegand
Carrier	Gurnett	Monroe	Sheehy	Wilsnack
Caughlan	Hackett	Moreland	Sheldon	Wilson
Charles E E	Hammond	Murphy	Shuttleworth	Wolf
Charles W B	Hanford	Newton	Slocum	Wood F C
Cooke	Hapeman	Nugent	Smith A P	Wood F X
Coon	Hartman	Ogden	Smith A E	Yale
Cotton	Hastings	O'Neill	Smith J E	Young
Coutant				

Mr. Hammond moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Page 2, line 4, strike out the words "postponed, subordinated."

Same page, line 7, after the word only, insert the words "and an instrument postponing or subordinating a mortgage lien."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Hooker called up Assembly bill No. 1047, entitled "An act to amend the Code of Criminal Procedure, relative to the persons who may be present during the sessions of a grand jury" (Int. No. 450), heretofore recalled from the Governor, pursuant to concurrent resolution of the Senate and Assembly.

Mr. Hooker moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hartman	Nugent	Smith A E
Allen F E	Cox	Hastings	O'Neill	Smith J T
Allen J G	Cunningham	Hooker	Palmer	Smith R H
Anderson	Dale	Hooper	Parker	Stanley
Apgar	Dodd	Hornidge	Patton	Stevens
Bass	Donovan	Hubbs	Perry	Sullivan
Becker	Ellis	Hurd	Plank	Tenjust
Beebe	Etzel	Kavanaugh	Platt	Thompson G F
Beihliff	Evans	Knapp	Pratt	Thompson J A
Bird	Everett	La Fetra	Prince	Tompkins
Bisland	Fish	La Rue	Quinn	Waddell
Brady	Fitzsimons	Leggett	Reeve	Wagner
Brooks	Foelker	Machacek	Reilly	Wadsworth
Burns	Foster	Maier	Rogers	Wainwright
Burzynski	Francisco	Malloy	Rosenstein	West
Byrne	Fuller	Mathews T F	Salomon	Whitney F G
Cahn	Gardner	Matthews C R	Sammon	Whitney G H
Callahan	Gates	McKeown	Santee	Wiegand
Carrier	Grady	McManus	Schoeneck	Wilson
Caughlan	Grattan	Mead	Shanahan	Wolf
Charles E E	Gray	Merritt	Sheehy	Wood F C
Charles W B	Hackett	Miller	Sheldon	Wood F X
Cooke	Hammond	Monroe	Sherry	Yale
Coon	Hanford	Moreland	Slocum	Young
Coutant	Hapeman	Newton	Smith A P	

Mr. Hooker moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 2, line 7, strike out the word "two" and insert the word "five."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Phillips, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Hastings called up Assembly bill No. 812, entitled "An act to amend chapter 44 of the Laws of 1853, entitled 'An act for the better support of the poor in the town of Newburgh in the county of Orange,' in relation to the corporate name and terms of the commissioners of the almshouse" (Int. No. 382), heretofore recalled from the Governor, pursuant to concurrent resolution of the Senate and Assembly.

Mr. Hastings moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Coon	Hubbs	Perry	Smith J E
Allen F E	Cotton	Kavanaugh	Phillips	Smith J T
Allen J G	Coutant	Knapp	Plank	Smith R H
Anderson	Cowan	La Rue	Platt	Standart
Apgar	Cunningham	Leggett	Pratt	Stanley
Bass	Dale	Lewis	Prentice	Steele
Becker	Donovan	Maier	Prince	Stevens
Bedell	Dowling	Malloy	Quinn	Tenjest
Beebe	Ellis	Mathews T F	Reeve	Thompson G F
Beihlf	Etsel	Mathews C R	Reilly	Thompson J A
Bird	Everett	McKeown	Rigby	Tompkins
Bisland	Fish	McManus	Rogers	Waddell
Brady	Foelker	Mead	Rosenstein	Wade

Brooks	Foster	Merritt	Salomon	Wadsworth
Burnett	Freidel	Miller	Sammon	Wainwright
Burns	Gardner	Monroe	Santee	Wedemeyer
Burzynski	Gates	Moreland	Schoeneck	Wemple
Byrne	Grady	Murphy	Scovill	Whitney F G
Cadin	Grattan	Newton	Shanahan	Whitney G H
Cahn	Gray	Nugent	Sheehy	Wilsnack
Callahan	Hackett	Ogden	Sheldon	Wilson
Carrier	Hammond	O'Neill	Sherry	Wolf
Caughlan	Hapeman	Palmer	Shuttleworth	Wood F C
Charles E E	Hartman	Parker	Slocum	Wood F X
Charles W B	Hooker	Patton	Smith A P	Yale
Cooke	Hooper	Pendry	Smith A E	Young

Mr. Hastings moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Insert the letter "e" between the letters "r" and "a" in the word "hereafter" in last line of page 1 of engrossed bill; also strike out the word "semi-" on line 14, page 2, of engrossed bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hooker, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Rogers offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That the Legislature adjourn without date on Saturday, April 22, 1905, at 2 o'clock p. m.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Prentice offered for the consideration of the House a resolution, in the words following:

Resolved, That this Assembly meet in the Assembly Chamber on Tuesday evening, April 11, at 8.30 o'clock, to conduct exercises in memory of Frederic E. Perham, late member of Assembly, by which it may express its appreciation of his services, its sense of the loss sustained in his death, and its sympathy with his family.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Pendry offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly 5,000 copies of Senate bill No. 1013 (Rec. No. 237), known as the Mortgage Tax Bill.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hubbs	Pendry	Smith J T
Allen F E	Cowan	Hurd	Perry	Smith R H
Allen J G	Cox	Kavanaugh	Phillips	Standart
Apgar	Cunningham	Knapp	Plank	Steele
Bass	Dodd	La Rue	Platt	Stevens
Becker	Donovan	Leggett	Pratt	Sullivan
Bedell	Dowling	Machacek	Prentice	Tenjost
Beebe	Etzel	Maier	Prince	Thompson G F
Beihlf	Evans	Malloy	Quinn	Thompson J A
Bisland	Everett	Mathews T F	Reeve	Thonet
Brady	Fitzsimons	Matthews C R	Reilly	Tompkins
Brooks	Foelker	McKeown	Rigby	Waddell
Burnett	Francisco	McManus	Rosenstein	Wade
Burns	Freidel	Mead	Salomon	Wadsworth
Burzynski	Gardner	Miller	Sammon	Wedemeyer
Byrne	Grady	Monroe	Schoeneck	West
Cadin	Gray	Moreland	Scovill	Whitney F G
Cahn	Gurnett	Newton	Shanahan	Whitney G H
Callahan	Hackett	Nugent	Sheehy	Wiegand
Caughlan	Hammond	Ogden	Sherry	Wilson
Charles E E	Hapeman	O'Neill	Shuttleworth	Wolf
Charles W B	Hartman	Palmer	Slocum	Wood F X
Cooke	Hastings	Parker	Smith A E	Yale
Coon	Hooper	Patton	Smith J E	Young

Mr. Cotton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill No. 383, entitled "An act to reappropriate money for the acquisition of additional land for the Creedmore rifle range, as provided by chapter 633 of the Laws of 1903, and making the same applicable

for improvements to said rifle range " (Int. No. 344), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That Senate bill No. 299, entitled "An act empowering the Church Building Trust Association of New York to maintain a second place of worship " (Rec. No. 88), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 111, entitled "An act to authorize the Adjutant-General to reopen the claim made by George W. Herniman, late second lieutenant Sixty-fifth Regiment Infantry, National Guard, to be placed on the roll of invalid pensioners of the State, and to grant a rehearing of the application made by said Herniman to be placed on such roll " (Rec. No. 84), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution returning to the Governor Assembly bill No. 383, entitled "An act to re-appropriate money for the acquisition of additional land for the Creedmore rifle range, as provided by chapter 633 of the Laws of 1903, and making the same applicable for improvements to said rifle

range" (Int. No. 344), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

"An act to reappropriate certain unexpended balances of former appropriations." (No. 1383, Int. No. 1126.)

"An act to authorize and empower the Commissioners of the Land Office to convey to the United States of America certain lands in what was formerly known as the town of Southfield, in the county of Richmond, known as lot No. 11, map or page 11, tax maps of the town of Southfield, said lot being a part of the Fort Wadsworth Military Reservation and having been sold by the treasurer of Richmond county to the State of New York for taxes in 1896." (No. 1080, Int. No. 899.)

"An act to legalize the official acts of the assessors, board of trustees, and collector, of the village of Attica, in the county of Wyoming, in relation to taxes and local assessments during the years 1902, 1903, and 1904." (No. 1358, Int. No. 1099.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill (No. 828, Assembly reprint No. 1725) entitled "An act to legalize the issue of bonds of the town of Schroon in the county of Essex, authorized by the board of supervisors of said county for the purpose of defraying the expense of rebuilding a bridge over the Schroon river in said town, and to provide for the payment of the principal and interest thereof" (Rec. No. 176), with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

"An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton' and the

several acts amendatory thereof, relative to sale of lands for unpaid taxes or assessments." (No. 1143, Int. No. 502.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Binghamton.

"An act to amend chapter 225 of the Laws of 1901, entitled 'An act to incorporate the city of Oneida,' in relation to special elections." (No. 1241, Int. No. 506.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Oneida.

"An act to authorize a further appropriation for the maintenance of the American Museum of Natural History in the Central park of the city of New York." (No. 769, Int. No. 681.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,' and the several acts amendatory thereof—relative to building and maintaining of sidewalks and curbing, and the cost thereof." (No. 551, Int. No. 501.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Binghamton.

"An act to amend chapter 452 of the Laws of 1904, entitled 'An act to authorize the city of Utica to extend its system of drainage and to borrow money to pay for the same.' (No. 1352, Int. No. 170.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

"An act to amend chapter 120 of the Laws of 1886, entitled 'An act to revise the charter of the city of Lockport,' relating to the salaries of certain city officers." (No. 1639, Int. No. 980.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Lockport.

"An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine, audit and allow the alleged claims of persons who have furnished work, labor and services or materials or supplies under request, order

or direction of the fire department of the city of New York.” (No. 134, Int. No. 134.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to authorize the city of Yonkers to borrow money and issue bonds for highway purposes in said city.” (No. 1536, Int. No. 1202.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Yonkers.

“An act to amend chapter 580 of the Laws of 1901, entitled ‘An act to authorize and empower the city of New York to establish and maintain a free public library system,’ in relation to contracts with the trustees of certain public libraries in the city of New York.” (No. 1401, Int. No. 787.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to amend chapter 160 of the Laws of 1900, entitled ‘An act to incorporate the city of Cortland,’ relative to revising certain sections of the charter.” (No. 590, Int. No. 536.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Cortland.

“An act to amend chapter 269 of the Laws of 1902, entitled ‘An act to incorporate the city of Plattsburgh.’” (No. 1365, Int. No. 1106.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Plattsburgh.

“An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues approaching the bridge over Prospect avenue at Seeley street, borough of Brooklyn, in the city of New York.” (No. 1718, Int. No. 940.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to amend chapter 120 of the Laws of 1886, entitled ‘An act to revise the charter of the city of Lockport,’ relating to

the disposition of the tax paid in such city by agents or foreign fire insurance corporations.” (No. 1714, Int. No. 981.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Lockport.

“An act to amend the Greater New York charter, in relation to entry of order of commissioners of estimate.” (No. 1720, Int. No. 1193.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to amend chapter 430 of the Laws of 1903, entitled ‘An act authorizing the paving of streets and portions thereof, within the city of Auburn, and providing the method and means of payment therefor.’” (No. 1739, Int. No. 1026.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Auburn.

“An act to amend chapter 518 of the Laws of 1889, entitled ‘An act to revise the charter of the village of Mt. Morris,’ in relation to the powers of the board of trustees thereof.” (No. 1346, Int. No. 1095.)

Ordered, That the Clerk deliver said bill to the Governor.

“An act to amend the charter of the city of Hudson, generally.” (No. 1646, Int. No. 881.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Hudson.

“An act making a reappropriation for the improvement of the canals.” (No. 1666, Int. No. 1286.)

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Edward F. Brush, mayor of the city of Mt. Vernon, returning Assembly bill No. 1210, entitled “An act relating to the paving and grading of streets and highways in the city of Mt. Vernon, and authorizing such city to raise money therefor by the issue of bonds” (Int. No. 999), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent, the fact that Mr. Nugent was unavoidably absent from yesterday's session and would, if present, have voted against Senate bills No. 892, No. 1013, and No. 379, was ordered entered upon the journal.

Mr. Brooks gave notice that on Monday, April 10, he would call up Assembly bill No. 1294, entitled "An act in relation to classification of inspectors in departments of health in cities of the first class" (Int. No. 1048), the same having been laid aside on the order of third reading.

On motion of Mr. Rogers, the House adjourned.

FRIDAY, APRIL 7, 1905.

The House met pursuant to adjournment.

Prayer by Rev. A. M. Vanderwart.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to legalize, ratify and confirm the action of the town board of the town of Stockport in the county of Columbia compromising and settling certain claims of James A. Haynes against said town and certain litigation with reference thereto" (No. 1112, Rec. No. 277), which was read the first time and referred to the committee on internal affairs.

"An act to amend section 1092 of the Greater New York charter, in relation to the public school teachers' retirement fund" (No. 1114, Rec. No. 278), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn, and the several acts amendatory thereof'" (No. 1084, Rec. No. 279), which was read the first time and referred to the committee on affairs of cities.

Mr. F. E. Allen introduced a bill entitled "An act to annex the village of Lestershire, in the town of Union, Broome county, to the city of Binghamton, and to increase the number of wards in said city, and to make certain provisions incident thereto" (Int. No. 1437), which was read the first time and referred to the committee on affairs of cities.

Mr. Cox introduced a bill entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to additional street cleaning" (Int. No. 1438), which was read the first time and referred to the committee on affairs of cities.

Mr. La Rue introduced a bill entitled "An act to amend chapter 338 of the Laws of 1893, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws'" (Int. No. 1439), which was read the first time and referred to the committee on agriculture.

Mr. Pendry introduced a bill entitled "An act to compel certain ferry companies to provide necessary sanitary arrangements by which the general public health may be promoted" (Int. No. 1440), which was read the first time and referred to the committee on commerce and navigation.

Mr. Salomon introduced a bill entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,' relative to securing additional safeguards and benefits to the public" (Int. No. 1441), which was read the first time and referred to the committee on affairs of cities.

Mr. Rogers, from the committee on ways and means, to which was referred the bill introduced by Mr. Wade, Int. No. 783, entitled "An act to provide for the representation of the State of New York at the Lewis and Clark Centennial Exposition, at Portland, Ore., and reappropriating money heretofore appropriated for such purpose" (No. 894), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Rogers, from the committee on ways and means, to which was referred the bill introduced by Mr. Slocum, Int. No. 1353, entitled "An act to amend chapter 168 of the Laws of 1894, entitled 'An act in relation to the State dams on the Beaver and Moose rivers,' in relation to the commissioners appointed thereby" (No. 1820), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Rogers, from the committee on ways and means, to which was recommitted the bill introduced by Mr. F. X. Wood, Int. No. 912, entitled "An act to amend the Indian Law, in relation to the employment of a physician, his compensation and duties" (No. 1698), retaining its place on the order of second reading, reported in favor of the passage of the same with the following amendment:

Page 3, line 6, after the word "state" strike out the word "board" and insert the word "department."

JAS. T. ROGERS,

Chairman.

Which report was agreed to and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Cahn, Int. No. 1176, entitled "An act authorizing the Supreme Court of the First Judicial District to entertain the petition of Augusta B. Frank to review certain actions taken by the board of education of the city of New York" (No. 1626), reported the same for the consideration of the House without amendment, which report was agreed to and said bill placed on the order of second reading.

Said bill having been announced for a second reading,

Mr. Cahn moved to amend as follows:

Page 1, line 5, after the word "education" add the words "or the board of superintendents."

Same page, line 6, after the word "York" add the words "or the superintendent of education of the state of New York."

Page 2, line 11, after the word "education" add the words "or the board of superintendents;" also after the word "city" add the words "or the state of New York."

Same page, line 12, make "board" read "boards."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. Cahn, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fish, Int. No. 1317, entitled "An act to amend the Stock Corporations Law in relation to the power to borrow money and mortgage property" (No. 1746), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Callahan, Int. No. 1336, entitled "An act to amend chapter 381 of the Laws of 1899, entitled 'An act relating to attendants upon the Supreme Court in and for the county of Monroe,' in relation to the salary of such attendants" (No. 1803), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Stanley, Int. No. 979, entitled "An act to authorize the Supreme Court to hear and determine any application made to revise and correct the first separate report of the commissioners of appraisal appointed in proceedings instituted by the city of New York to acquire title to lands for St. Nicholas park and to grant in respect thereto such relief as may be just and equitable" (No. 1177), reported the same for the consideration of the House without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was

referred the Senate bill introduced by Mr. White, Rec. No. 199, entitled "An act to amend the Membership Corporations Law relating to corporations for the prevention of cruelty" (No. 857), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Tully, Rec. No. 276, entitled "An act to amend chapter 238 of the Laws of 1871, entitled 'An act to provide for the payment of the crier and attendants of the Court of Appeals,' relating to the appointment of a law clerk and a confidential clerk to the chief judge of such court" (No. 966), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hill, Rec. No. 188, entitled "An act to amend the General Corporation Law, in relation to the consent of stockholders requisite to an extension of corporate existence" (No. 253), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate concurrent resolution introduced by Mr. Marks, Rec. No. 67, entitled "Concurrent resolution proposing amendment to section 2 of article 1 of the Constitution, relating to trial by jury" (No. 43), reported in favor of the passage of the same with the following amendments:

Page 1, line 7, after the word "jurors" insert the words "may be empaneled, in the manner to be prescribed by the legislature;" also after the word "attend" strike out the word "during" and insert the word "upon."

Same page, line 8, after the word "jury" strike out the word "may" and all of line 9, and insert the words "during such trial."

ROBT. J. FISH,
Chairman.

Which report was agreed to, and said concurrent resolution ordered reprinted as amended and placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Cooper, Rec. No. 154, entitled "An act to amend the Civil Service Law, in relation to veterans" (No. 315), reported in favor of the passage of the same with the following amendment:

Page 5, line 10, after the word "fireman" strike out the words "and the" and all of lines 11, 12, 13, 14 and 15 to and including the word "reduced" on line 16.

ROBT. J. FISH,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Santee, Int. No. 1378, entitled "An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville,' relating to city elections and city officers" (No. 1890), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cox, Int. No. 986, entitled "An act to amend the charter of the city of Buffalo in relation to inferior courts of criminal jurisdiction" (No. 1197), reported in favor of the passage of the following substitute bill:

AN ACT to amend chapter one hundred and five of the laws of eighteen hundred and ninety-one, entitled "An act to revise the charter of the city of Buffalo," in relation to inferior courts of criminal jurisdiction.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections three hundred and eighty-five to three hundred and ninety, both inclusive, of chapter one hundred and

eighty-five of the laws of eighteen hundred and ninety-one, entitled "An act to revise the charter of the city of Buffalo," as amended by chapter one hundred and eighty-nine of the laws of eighteen hundred and ninety-eight are hereby repealed. Such act is hereby amended by inserting therein six new sections to be sections three hundred and eighty-five, three hundred and eighty-six, three hundred and eighty-seven, three hundred and eighty-eight, three hundred and eighty-nine and three hundred and ninety thereof, and to read respectively as follows:

§ 385. In addition to the police justice and his court, as heretofore provided, and in place of the three justices of the peace as now elected, the police justice shall appoint two justices of the police each for the term of four years. Such justices shall be appointed successively to take the places of the two justices of the peace whose terms first expire now holding office, pursuant to sections three hundred and eighty-five to three hundred and ninety of the city charter as amended. The first of said justices shall be appointed to take office upon the expiration of the term of the present justice whose term first expires, and the second of said justices shall be appointed to take office upon the expiration of the term of the present justice whose term shall next expire. When the term of the remaining justice now holding office shall expire, no successor shall be elected or appointed. Each of said justices shall hold office for four years from the date of his appointment. Each of said justices shall have power to try cases of drunkenness, vagrancy and all other offenses against any of the laws or the ordinances of the city of Buffalo which may be tried summarily and without a jury by a justice of the peace or a court of special sessions, committed by any person who shall then be confined in any police station house in said city, and to sentence every such person found guilty of any such offense pursuant to the statute or ordinance creating such offense, and shall have such other powers and jurisdiction as are prescribed in this act.

§ 386. Each of said justices shall receive an annual salary not exceeding the sum of fifteen hundred dollars, to be fixed by the common council, payable in monthly installments, and he shall not receive any other fee or compensation for services as justice. Each justice shall upon receiving the certificate of his appointment, signed by the mayor, a duplicate of which shall be filed with the city clerk, execute and file a bond with said city clerk in the penal sum of five thousand dollars with at least two sureties, the form of which said bond and the sufficiency of which sureties shall be approved by the mayor, conditioned for the faith-

ful performance of the duties of his office and the due accounting for and payment of all moneys by him received as such justice.

§ 387. Each of said justices shall appoint a clerk who shall be a stenographer and who shall hold office until the expiration of the term of said justice. Said clerk and stenographer shall receive a salary of not to exceed nine hundred dollars per annum, to be fixed by the common council. Said clerk and stenographer before he enters upon the discharge of his duties shall file in the office of the city clerk a bond approved by the mayor as to its form and the sufficiency of its sureties, in the penal sum of five thousand dollars, with two sureties, conditioned for the faithful discharge of his duties as clerk and stenographer and the due accounting for and payment of all moneys by him received as such clerk. The said stenographer and clerk may be removed by said justice for cause. Each of said clerks and stenographers shall keep complete and accurate accounts of all moneys received or fines imposed, and shall file with the clerk of the county of Erie records of all convictions in his court, which records shall specifically state the crime and sentence of each person convicted in said court, and shall be prima facie evidence of the regularity of all proceedings in said court and of the conviction of the person therein named. Each of said clerks and stenographers shall keep a complete, full and in haec verba stenographic record of all evidence, proceedings, objections, exceptions, remarks, and of everything said and done in said court by the justice, and all other persons participating in the trial or proceeding, and upon the request of any defendant or other person interested in any trial or proceeding before said court, shall without fee or charge immediately file in the Erie county clerk's office a full typewritten transcription of all his stenographic notes in connection with the case in which such person is interested, which said stenographer's transcribed notes shall in such case form a part of the return. Each of said clerks and stenographers shall within twenty-four hours after receiving the same pay over to the city treasurer of the city of Buffalo any and all fines or other moneys received by him as such clerk or by his court, and the same shall be placed in the general fund and a failure to pay over the same within such time as aforesaid, shall be sufficient ground for the summary removal from office of such clerk or stenographer, and shall be deemed a breach of the condition of his official bond. Each of said clerks and stenographers shall also prepare and file with the city clerk on the first day of each month a monthly report to the common council of the transactions of his court and of the fines and other moneys received by him and the disposition thereof,

and shall perform such other clerical duties in connection with the proceedings of his court as shall be prescribed by the justice thereof.

§ 388. Each of said justices shall hold in the city at an early hour each day a court at the times and places and in the manner to be determined by said justices in consultation with the superintendent of police, which shall be called the morning police court. Each of said supplemental police courts shall have a seal, and its seal shall be the seal of the city of Buffalo, and process for the arrest of any person issued by either of said justices duly attested by said seal of the city of Buffalo shall be executed by any peace officer at any place within the state in the same manner as process issued by a justice of the peace. The books of record of each of said courts shall contain the name and sex, and as near as may be, the age of all persons against whom complaints or charges have been made; the nature and date of the complaint or charge, and the name and residence of the complainant, giving street and number; the date and nature of all warrants or other process issued and against whom; the date, nature and result of all examination or proceedings and the disposition of all prisoners; the names and residences of all bondsmen; the date at which any fine or costs are paid, by whom, and the name and address of all attorneys appearing in respect to any charge or on any hearing. No person other than an attorney and counselor at law of the supreme court of the state, or a person in his own defence shall be heard to practice in either of said courts.

§ 389. In case of the sickness, absence, or inability of any justice to the police, the mayor may temporarily appoint another person who shall possess the qualifications herein prescribed to perform his duties during such inability, and the justice so temporarily appointed shall have all the powers and perform all the duties of a justice under this act and be subject to all of the provisions of this act. The police board until otherwise provided shall designate a suitable room at every station house, in which said justices of the police shall hold court. While court is in session said room shall be deemed a court room for all purposes thereof. Such rooms shall be properly furnished, ventilated and heated. Said justices shall deliver a full and detailed estimate of the expenses and the amount of money required in their respective courts as required of departments and officers by section sixty-seven of the charter of the city of Buffalo aforesaid, and the same shall be provided by the common council in the manner prescribed for other departments and officers.

§ 390. Said justices of the police may be removed from office by the supreme court of the state of New York, appellate division,

fourth department, as prescribed by the code of criminal procedure.

§ 2. This act shall take effect immediately.

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said substitute bill ordered printed and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. L'Hommedieu, Rec. No. 66, entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls' in relation to the powers of said city to acquire a water works system" (No. 251), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Tompkins, Int. No. 1114, entitled "An act to amend the Code of Civil Procedure in relation to certified public accountants" (No. 1373), reported in favor of the passage of the same with the following amendment:

Page 1, line 3, strike out the word "thirty-five-a" and insert in place thereof the words "thirty-two-a."

Same page, line 5, strike out the figures "835" and insert in place thereof the figures "832" making it "section 832."

Page 2, line 4, strike out the period at end of line and insert in lieu thereof a comma.

Same page, line 4, after the word "acquired" insert the words "unless the provisions of this section are expressly waived upon the trial or examination by the client."

J. S. PHILLIPS,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was recommitted the bill introduced by Mr. Dale, Int. No. 946, entitled "An act to amend the Railroad Law relative to percentage of

gross receipts to be paid by street surface railroads in cities or villages" (No. 1831), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. Wedemeyer, Int. No. 1315, entitled "An act to amend chapter 823 of the Laws of 1895, entitled 'An act to regulate barbering on Sunday,' in relation to the borough of Richmond" (No. 1744), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. Cahn, Int. No. 1312, entitled "An act to amend chapter 46 of the general laws, known as the Real Property Law" (No. 1742), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was recommitted the bill introduced by Mr. Hartman, Int. No. 1155, entitled "An act to amend chapter 632 of the Laws of 1903, entitled 'An act to regulate the practice of barbering in the State of New York; to establish a State Board of Barber Examiners, and to provide for the sanitary inspection of barber shops,' in relation to the renewal of certificates of registration and qualification, return of moneys, apprentices and sub-boards" (No. 1441), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. Yale, Int. No. 1347, entitled "An act to prohibit bucket shops and bucket-shopping within this State" (No. 1814), reported in favor of the passage of the same with the following amendments:

Page 4, line 11, after the word "sold" strike out the semicolon and insert a period. Strike out all of the line after the word "sold," and all of lines 12, 13, 14 and 15.

EDWIN A. MERRITT,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. Donovan, Int. No. 1049, entitled "An act to authorize the issuing of licenses to honorably discharged volunteer firemen of the State of New York for peddling, vending and selling merchandise within this State" (No. 1295), reported in favor of the passage of the same with the following amendments:

Page 1, line 3, after the word "city" insert the words "of the second and third classes."

Page 2, line 1, after the word "city" insert the words "of the second and third classes."

EDWIN A. MERRITT,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Becker, Int. No. 749, entitled "An act to amend the County Law relating to county jails" (No. 864), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Beebe, Int. No. 627, entitled "An act to amend the County Law, relative to empowering supervisors to make arrests" (No. 707), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Parker, Int. No. 1330,

entitled "An act to amend the Highway Law in relation to private roads, and to repeal certain parts thereof" (No. 1781), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Plank, Int. No. 1385, entitled "An act authorizing the towns of Louisville, Madrid and Waddington, in the county of St. Lawrence, to issue bonds for the payment of the cost of the construction of a bridge over De Grasse river, and of the costs of legal proceedings in respect to such bridge, and for certain other purposes" (No. 1897), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Cadin, Int. No. 1414, entitled "An act to amend chapter 194 of the Laws of 1897, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than 150,000 and less than 190,000, and regulating and prescribing his duties,' generally" (No. 192), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bird, Int. No. 1355, entitled "An act to amend the Poor Law by requiring monthly reports from county superintendents of the poor, overseers of the poor and other officials, to the State Board of Charities with relation to children placed in family homes" (No. 1822), reported in favor of the passage of the same with the following amendment:

Page 2, line 10, after the word "residence" insert the words "when ascertainable."

S. PERCY-HOOKER,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Wedemeyer, Int. No. 1314, entitled "An act in relation to unpaid taxes, and sales for unpaid taxes in the towns, villages and school districts in the county of Richmond, as the same existed prior to January 1, 1898, the time of the taking effect of the Greater New York charter" (No. 1738), reported in favor of the passage of the same with the following amendment:

Page 1, line 6, after the word "ninety-eight," insert the words "and not returned to the state comptroller."

S. PERCY HOOKER,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Gray, Int. No. 688, entitled "An act to amend the Town Law, in relation to shade trees and the appointment of a tree warden" (No. 776), reported in favor of the passage of the same with the following amendment:

Page 2, line 9, after the word "town" strike out all down to and including the word "final" on line 20.

S. PERCY HOOKER,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Carpenter, Rec. No. 184, entitled "An act to authorize the town of Pelham, in the county of Westchester, to acquire a site and construct a new town hall in said town, and to issue bonds in payment therefor" (No. 814), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Plank, Int. No. 1307, entitled "An act to amend the Forest, Fish and Game Law, in relation to fires to clear land" (No. 1733), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 1, line 9, strike out the brackets and the word "April,"

Page 2, line 1, strike out the word "thirtieth."

Same page, line 2, change the period to a comma, and insert thereafter the words "except that in Saint Lawrence county such fallows, stumps, logs, brush, dry grass or fallen timber shall not be burned from April first to May fifteenth, both inclusive, or from September sixteenth to November tenth, both inclusive;" also strike out the brackets and after the word "May" insert "fifteenth to September fifteenth, both inclusive, in the county of Saint Lawrence and from."

Same page, line 3, before the word "such" insert "in other counties."

WILLIS A. REEVE,

Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1873), entitled "An act to amend the act to provide for rapid transit railways in cities of over 1,000,000 inhabitants; relative to the construction of elevated railways in city streets" (Int. No. 507), reported the same with the following recommendations:

Amend the title to read as follows:

"An act to amend chapter four of the laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' relative to the construction of elevated railways in city streets."

Page 1, strike out all of line 4 after the word "amended."

Same page, strike out all of line 5.

Same page, line 6, after the word "by" insert the words "chapter five hundred and twenty-eight of," and strike out the words "chapter five."

Same page, strike out all of line 7 except the last word "as."

Page 2, line 1, after the word "by" insert the words "chapter five hundred and nineteen of" and strike out the last word "chapter."

Same page, strike out all of lines 2 and 3.

Same page, line 4, after the word "by" insert the words "chapter six hundred and sixteen of," and strike out the words "chapter six hundred."

Same page, strike out lines 5, 6, 7 and 8.

Same page, line 9, strike out the words "and five hundred and eighty-four," and after the word "by" insert the words "chapter five hundred and sixty-four of."

Same page, line 10, strike out the words "chapter five hundred and sixty-two and."

Same page, line 11, strike out the words "five hundred and sixty-four" and the word "further."

Page 3, line 10, insert a comma after the word "upon."

Same page, line 15, insert a comma after the word "partly."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 313) entitled "An act to amend chapter 357 of the Laws of 1903, to provide for the payment of a salary to Frederick A. King, probation officer in the city magistrates' courts of the first division of the city of New York" (Int. No. 313), reported the same with the following recommendations:

Amend the title to read as follows:

"An act to amend chapter three hundred and fifty-seven of the laws of nineteen hundred and three, entitled 'An act to provide for the payment of a salary to Frederick A. King, probation officer in the city magistrates' courts of the first division of the city of New York,' relative to payment of salary to said Frederick A. King's successor or substitute."

Page 1, between enacting clause and line 1, insert the words "Section 1. Section one of chapter three hundred and fifty-seven of the laws of nineteen hundred and three, entitled 'An act to provide for the payment of a salary to Frederick A. King, proba-

tion officer in the city magistrates' courts of the first division of the city of New York,' is hereby amended to read as follows."

Same page, line 1, strike out the word "Section" and insert a section mark.

Same page, line 4, after the word "King" insert a comma.

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1823) entitled "An act to amend chapter 441 of the Laws of 1899, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Oneida county" (Int. No. 1356), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-nine" insert the words "entitled 'An act to create a commissioner of jurors in the several counties of this State.'"

Same page, line 3, strike out the words "section one of."

Same page, line 5, strike out the words "so as."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1875) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' authorizing the city of Niagara Falls to issue sewer bonds, and to legalize sewer bonds of said city already issued, and to provide for the payment of certain deficiencies in the city funds existing on January 1, 1905" (Int. No. 1284), reported the same with the following recommendations:

Page 3, line 16, after the word "said" insert the word "estimated."

Same page, line 18, underscore the words "and confirmed."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1881) entitled "An act to establish a State Water Commission, to define its powers and duties, and making an appropriation therefor" (Int. No. 976), reported the same without recommendations, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

"An act to amend chapter 152 of the Laws of 1899, entitled 'An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths,' in relation to the appointment of sidepath police." (No. 1898, Int. No. 1172.)

"An act to amend the Tenement House Act, in relation to fire escapes." (No. 1903, Int. No. 1280.)

"An act to amend the Code of Civil Procedure, in relation to advancements." (No. 1904, Int. No. 657.)

"An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants." (No. 1902, Rec. No. 208.)

"An act to amend the State Charities Law, authorizing the transfer of inmates of State charitable institutions." (No. 1901, Int. No. 586.)

"An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers.'" (No. 1900, Int. No. 1036.)

"An act to amend chapter 371 of the Laws of 1903, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' in relation to the boundaries of the Ninth ward." (No. 1899, Int. No. 1289.)

"An act to encourage the formation of companies to supply Pasteurized or clarified milk and cream and pure dairy products

and to exempt the same from the provisions of sections 1 and 2 of chapter 290 of the Laws of 1899, and section 7 of the Stock Corporations Law.” (No. 1791, Int. No. 1022.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William E. Carney, as executor of the last will and testament of Michael Carney, deceased, for damages against the State, alleged to have been sustained by him, and to render judgment therefor.” (No. 1838, Int. No. 1247.)

“An act to amend the Code of Civil Procedure, in relation to the jurisdiction of the Court of Claims.” (No. 1843, Int. No. 682.)

“An act to amend the Greater New York charter relative to the police department of the city of New York.” (No. 1237, Int. No. 1042.)

“An act to provide for the compensation of the transcribers or copyists of old or mutilated records in the office of the clerk of the county of Kings.” (No. 1704, Int. No. 1297.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Daniel O’Grady against the State for damages alleged to have been sustained by him, and to enter judgment therefor.” (No. 1837, Int. No. 1080.)

“An act to amend the Public Health Law, relative to the manufacture and sale of patent or proprietary medicines.” (No. 1844, Int. No. 159.)

“An act to regulate the price of illuminating gas in the villages of Seneca Falls and Waterloo, Seneca county, N. Y.” (No. 1442, Int. No. 1156.)

“An act to grant, give and release unto John Unterreiner, all the right, title and interest of the people of the State of New York, in, of and to all the real estate and personal property, which were of John E. Hughes, late of the borough of Brooklyn, city and State of New York, deceased.” (No. 1204, Int. No. 993.)

The bill (No. 1950) entitled “An act to regulate the use of streets, avenues and public places in the city of New York, in the

borough of Manhattan, by steam railroads operated at grade" (Int. No. 541), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1949) entitled "An act to amend sections 43, 44, 47 and 242 of the Greater New York charter, with reference to the respective powers and duties of the board of estimate and apportionment and the board of aldermen" (Int. No. 1288), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1948) entitled "An act to amend sections 17, 28, 41, 43, 44, 45, 47, 48, 50, 72, 73, 74, 75 and 242 of the Greater New York charter, with respect to the powers of the board of aldermen and the board of estimate and apportionment" (Int. No. 1273), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1947) entitled "An act to further amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1287), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1776) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of Frank Rubano, an infant, by Felide Rubano, his guardian ad litem, against the State, for damages for personal injuries sustained by said infant in being run over by a horse and ambulance wagon attached to one of the public hospitals in the borough of Manhattan, city of New York" (Int. No. 1325), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1862) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William Hill against the State of New York, for salary due him for services rendered to the State of New York while employed as purchasing steward's clerk in the office of Mr. F. A. Wheeler, purchasing steward for the Long Island and Manhattan State Hospital, under civil service appointment" (Int. No. 1364), was read the second time.

On motion of Mr. Grattan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1743) entitled "An act to release to Walter Miller and Mary J. Miller, his wife, all the right, title and interest of the people of the State of New York in and to certain real estate" (Int. No. 1313), was read the second time.

On motion of Mr. Callahan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1533) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Syracuse against the State for unpaid assessments for local improvements charged by said city against the State on account of lands owned by it within said city and for the amount alleged to be due thereon, and to render judgment therefor" (Int. No. 1199), was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1347) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Brown against the State of New York for damages to the canal boat Maggie Mills at the city of Utica, on or about the 25th day of June, 1903" (Int. No. 1096), was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1204) entitled "An act to grant, give and release unto John Unterreiner, all the right, title and interest of the people of the State of New York, in, of and to all the real and personal property, which were of John E. Hughes, late of the borough of Brooklyn, city and State of New York, deceased" (Int. No. 993), was read the second time.

On motion of Mr. McKeown, said bill was placed on the order of third reading.

On motion of Mr. McKeown, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 134

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Parker	Smith R H
Allen F E	Cowan	Hooper	Patton	Standart
Allen J G	Cox	Hornidge	Pendry	Stanley
Anderson	Cunningham	Hurd	Perry	Steele
Bass J J	Dodd	Kavanaugh	Phillips	Stevens
Becker	Donovan	Knapp	Plank	Sullivan
Bedell	Dowling	La Petra	Platt	Tenjost
Beebe	Ellis	La Rue	Pratt	Thompson G F
Beihlf	Etzel	Leggett	Prentice	Thompson J A
Bird	Evans	Machacek	Prince	Thonet
Bisland	Everett	Maier	Quinn	Waddell
Brady	Fish	Malloy	Reeve	Wade
Brooks	Foelker	Mathews T F	Reilly	Wagner
Burnett	Foster	Matthews C R	Rigby	Wadsworth
Burns	Francisco	McKeown	Rosenstein	Wainwright
Burzynski	Freidel	McManus	Salomon	Wedemeyer
Byrne	Gardner	Mead	Sammon	West
Cadin	Gates	Merritt	Santee	Whitney F G
Cahn	Grady	Miller	Schoeneck	Whitney G H
Callahan	Grattan	Monroe	Shanahan	Wiegand
Carrier	Gray	Moreland	Sheehy	Wilsnack
Caughlan	Hackett	Murphy	Sheldon	Wilson
Charles E E	Hammond	Newton	Sherry	Wood F C
Charles W B	Hanford	Nugent	Shuttleworth	Wood F X
Cooke	Hapeman	Ogden	Slocum	Yale
Coon	Hartman	O'Neill	Smith A E	Young
Cotton	Hastings	Palmer	Smith J E	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1813) entitled "An act to amend chapter 673 of the Laws of 1904, entitled 'An act to provide for the erection of a suitable monument to commemorate the services of the Fifth Regiment New York State Volunteer Infantry (Duryee's Zouaves), who were engaged in the battle of Second Bull Run or Manassas Plains, Virginia, and making an appropriation therefor'" (Int. No. 1346), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1442) entitled "An act to regulate the price of illuminating gas in the villages of Seneca Falls and Waterloo, Seneca county, N. Y." (Int. No. 1156), was read the second time.

On motion of Mr. Maier, said bill was placed on the order of third reading.

On motion of Mr. Maier, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Parker	Smith J T
Allen F E	Cox	Hornidge	Patton	Smith R H
Allen J G	Cunningham	Hubbs	Pendry	Standart
Anderson	Dale	Kavanaugh	Perry	Stanley
Apgar	Dodd	Knapp	Phillips	Stevens
Bass J J	Dowling	La Rue	Plank	Sullivan
Becker	Ellis	Leggett	Platt	Thompson G F
Bedell	Etzei	Lewis	Pratt	Thompson J A
Beebe	Evans	Maier	Prentice	Thonet
Bird	Fish	Malloy	Prince	Tompkins
Bisland	Fitzsimons	Mathews T F	Quinn	Waddell
Brooks	Foelker	Mathews C R	Reeve	Wade
Burnett	Francisco	McKeown	Rigby	Wagner

Burns	Freidel	McManus	Rogers	Wadsworth
Burzynski	Fuller	Mead	Rosenstein	Wainwright
Byrne	Gardner	Merritt	Salomon	Wedemeyer
Cadin	Gates	Miller	Sammon	Wemple
Cahn	Grady	Monroe	Schoeneck	Whitney F G
Callahan	Gray	Moreland	Scovill	Whitney G H
Carrier	Gurnett	Murphy	Shanahan	Wilsnack
Caughlan	Hackett	Newton	Sheldon	Wilson
Charles E E	Hammond	Nugent	Sherry	Wood F C
Charles W B	Hanford	Ogden	Slocum	Wood F X
Coon	Hapeman	O'Neill	Smith A E	Yale
Cotton	Hastings	Palmer	Smith J E	Young
Coutant	Hooker			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1830) entitled "An act to amend section 2510 of the Code of Civil Procedure in relation to the examination of the witnesses to wills" (Int. No. 1363), was read the second time.

On motion of Mr. Dowling, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1655) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester'" (Int. No. 1275), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1709) entitled "An act to release to Francis Neher all the right, title and interest of the people of the State of New York in and to certain real estate situated in the Twenty-second ward of the city and county and State of New York, acquired by escheat or otherwise" (Int. No. 1302), was read the second time.

On motion of Mr. McManus, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 770) entitled "An act to release the interest of the people of the State of New York, in certain real estate in the city and county of New York, State of New York, to Raoul Dupuy, Marie Bazian (nee Marie Dupuy), Josephe Despeyroux Paris, Eleonore Despeyroux Lamarque, Julianne Despeyroux, Marie Pauline Basso and Alexandre Basso, and to

their heirs and assigns forever" (Rec. No. 151), was read the second time.

On motion of Mr. Moreland, said bill was placed on the order of third reading.

The Senate bill (No. 524) entitled "An act to amend section 359 of the Code of Civil Procedure, relative to stenographer for county court of Kings county" (Rec. No. 153), was read the second time.

On motion of Mr. Agnew, said bill was placed on the order of third reading.

The Senate bill (No. 163) entitled "Concurrent resolution of the Senate and Assembly proposing amendment to article 7 of the Constitution, relating to improvement of highways" (Rec. No. 106), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 1010) entitled "An act to amend the Labor Law relating to the protection of persons employed on buildings in cities" (Rec. No. 223), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 93) entitled "An act to release to Louisa Walters, widow of William Walters, all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the town of North Castle, county of Westchester, State of New York, acquired by escheat or otherwise, upon the death of the said William Walters" (Rec. No. 185), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The Senate bill (No. 886) entitled "An act to release to Philip Schwendeman, Andrew Schwendeman, Caroline Schwendeman, Christina Susana Schwendeman, August Schwendeman, Louis

Schwendeman, Philip Schwebius and Annie Schwebius, heirs-at-law of Andreas Schwendeman, deceased, all the right, title and interest of the people of the State of New York, in and to certain real estate, situate in the city, county and State of New York, known as No. 609 East Fourteenth street, borough of Manhattan, in said city, of which Frederick Pauss died seized, acquired by escheat, or otherwise, upon the death of Frederick Pauss" (Rec. No. 211), was read the second time.

On motion of Mr. McKeown, said bill was placed on the order of third reading.

The bill (No. 1361) entitled "An act to provide for a boulevard or parkway in the borough of Brooklyn, county of Kings, city of New York" (Int. No. 1102), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Agnew	Dowling	Kavanaugh	Phillips	Smith R H
Allen J G	Ellis	Knapp	Plank	Stanley
Anderson	Etzel	La Fetra	Platt	Steele
Apgar	Evans	La Rue	Pratt	Stevens
Becker	Everett	Leggett	Prentice	Tenjost
Bedell	Fitzsimons	Lewis	Prince	Thompson G F
Beebe	Foelker	Machacek	Quinn	Thompson J A
Bird	Foster	Malloy	Reeve	Thonet
Bisland	Francisco	Mathews T F	Rigby	Tompkins
Brady	Fuller	Matthews C R	Rogers	Waddell
Brooks	Gardner	McKeown	Rosenstein	Wade
Burns	Gates	McManus	Salomon	Wadsworth
Burzynski	Grady	Mead	Sammon	Wainwright
Cadin	Grattan	Merritt	Schoeneck	Wedemeyer
Cahn	Gray	Monroe	Scovill	West
Carrier	Gurnett	Moreland	Shanahan	Wempple
Caughlan	Hackett	Murphy	Sheehy	Whitney F G
Charles E E	Hammond	Newton	Sheldon	Wiegand
Cooke	Hapeman	Nugent	Sherry	Wilsnack
Coon	Hartman	Ogden	Shuttleworth	Wolf
Cotton	Hastings	Palmer	Slocum	Wood F C
Cowan	Hooker	Parker	Smith A P	Wood F X
Cox	Hooper	Patton	Smith A E	Yale
Dale	Hornidge	Pendry	Smith J E	Young
Dodd	Hubbs	Perry	Smith J T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1444) entitled "An act to amend the Penal Code in relation to defenses to prosecutions for larceny" (Int. No. 1158), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Agnew	Dodd	Hooper	Phillips	Smith R H
Allen F E	Dowling	Hornidge	Plank	Stanley
Allen J G	Ellis	Hubbs	Platt	Steele
Anderson	Etzel	Hurd	Pratt	Stevens
Apgar	Evans	Kavanaugh	Prentice	Sullivan
Becker	Everett	Knapp	Prince	Tenjest
Bedell	Fish	La Rue	Quinn	Thompson G F
Beebe	Fitzsimons	Leggett	Reeve	Thompson J A
Bird	Foelker	Lewis	Reilly	Thonet
Bisland	Foster	Machacek	Rigby	Tompkins
Brady	Francisco	Maier	Rogers	Waddell
Burnett	Freidel	Malloy	Rosenstein	Wagner
Burns	Fuller	Mathews T F	Salomon	Wadsworth
Burzynski	Gardner	Matthews C R	Santee	Wainwright
Cadin	Gates	McKeown	Schoeneck	Wedemeyer
Cahn	Grady	McManus	Scovill	West
Carrier	Grattan	Merritt	Shanahan	Wemple
Caughlan	Gray	Miller	Sheehy	Whitney G H
Charles W B	Gurnett	Moreland	Sheldon	Wiegand
Cooke	Hackett	Newton	Sherry	Wilsnack
Cotton	Hammond	Nugent	Shuttleworth	Wilson
Coutant	Hanford	Ogden	Slocum	Wood F C
Cowan	Hapeman	Palmer	Smith A P	Wood F X
Cox	Hartman	Parker	Smith A E	Yale
Cunningham	Hastings	Pendry	Smith J E	Young
Dale	Hooker	Perry	Smith J T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1314) entitled "An act to repeal section 115 of the Lien Law, relating to the exemption of certain articles from the provisions of the Lien Law requiring the filing of contracts

of conditional sale" (Int. No. 1068), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1564) entitled "An act to authorize the expenditure by the city of New York of money for the proper celebration of Memorial day in the year 1905" (Int. No. 1230), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Agnew	Dodd	Hooper	Patton	Smith R H
Allen F E	Donovan	Hornidge	Pendry	Standart
Allen J G	Dowling	Hubbs	Perry	Stanley
Apgar	Ellis	Hurd	Phillips	Steele
Bass	Etzel	Knapp	Plank	Stevens
Becker	Evans	La Fetra	Platt	Tenjost
Bedell	Everett	La Rue	Pratt	Thompson G F
Beihilf	Fish	Leggett	Prince	Thompson J A
Bird	Fitzsimons	Machacek	Quinn	Thonet
Bisland	Foelker	Malloy	Reeve	Waddell
Brooks	Foster	Mathews T F	Rigby	Wade
Burnett	Francisco	Matthews C R	Rosenstein	Wadsworth
Burns	Freidel	McKeown	Salomon	Wainwright
Byrne	Fuller	McManus	Santee	West
Cadin	Gardner	Mead	Schoeneck	Wemple
Cahn	Gates	Merritt	Scovill	Whitney G H
Carrier	Grattan	Monroe	Shanahan	Wiegand
Caughlan	Gray	Moreland	Sheehy	Wilsnack
Charles E E	Gurnett	Murphy	Sheldon	Wilson
Cooke	Hackett	Nugent	Sherry	Wolf
Cotton	Hammond	Ogden	Shuttleworth	Wood F C
Coutant	Hanford	O'Neill	Smith A E	Wood F X
Cox	Hapeman	Palmer	Smith J E	Yale
Cunningham	Hartman	Parker	Smith J T	Young
Dale	Hastings			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1546) entitled "An act authorizing and directing the city of Troy to pay certain awards made against it for water-works purposes and to issue its bonds for the purpose of raising money with which to make such payment" (Int. No. 1208), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Patton	Smith R H
Allen F E	Cox	Hooper	Pendry	Standart
Allen J G	Cunningham	Hornidge	Perry	Stanley
Apgar	Dale	Hubbs	Phillips	Steele
Bass	Dodd	Hurd	Plank	Stevens
Becker	Dowling	Kavanaugh	Platt	Tenjost
Bedell	Ellis	Knapp	Pratt	Thompson G F
Beebe	Etzel	La Rue	Prentice	Thompson J A
Beihlf	Everett	Lewis	Prince	Thonet
Bird	Fish	Machacek	Quinn	Tompkins
Bisland	Fitzsimons	Maier	Reilly	Waddell
Brady	Foster	Malloy	Rigby	Wade
Brooks	Francisco	Mathews T F	Rogers	Wadsworth
Burnett	Freidel	Matthews C R	Rosenstein	Wainwright
Burns	Fuller	McKeown	Salomon	Wedemeyer
Burzynski	Gardner	McManus	Sammon	West
Byrne	Gates	Mead	Schoeneck	Wemple
Cadin	Grady	Merritt	Scovill	Whitney F G
Callahan	Grattan	Miller	Shanahan	Whitney G H
Carrier	Gray	Monroe	Sheehy	Wilsnack
Caughlan	Gurnett	Moreland	Sheldon	Wilson
Charles E E	Hackett	Murphy	Sherry	Wolf
Charles W B	Hammond	Nugent	Shuttleworth	Wood F C
Cooke	Hanford	Ogden	Smith A P	Wood F X
Coon	Hapeman	O'Neill	Smith A E	Yale
Cotton	Hartman	Palmer	Smith J E	Young
Coutant	Hastings	Parker	Smith J T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1293) entitled "An act to amend the Compulsory Education Law regarding the powers and duties of truant officers" (Int. No. 1047), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1877) entitled "An act to amend section 58 of the Code of Civil Procedure relative to the graduates of law schools in the State" (Int. No. 55), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hartman	Ogden	Smith A E
Allen F E	Cox	Hastings	O'Neill	Smith J T
Allen J G	Cunningham	Hooker	Palmer	Smith R H
Anderson	Dale	Hooper	Parker	Standart
Apgar	Dodd	Hornidge	Patton	Steele
Bass	Donovan	Hubbs	Pendry	Stevens
Becker	Dowling	Hurd	Phillips	Sullivan
Bedell	Ellis	Kavanaugh	Plank	Tenjust
Beebe	Etzel	Knapp	Platt	Thompson J A
Beihliff	Evans	La Fetra	Pratt	Thonet
Bird	Everett	La Rue	Prentice	Tompkins
Bisland	Fish	Leggett	Prince	Waddell
Brooks	Fitzsimons	Lewis	Quinn	Wade
Burnett	Foelker	Machacek	Reeve	Wadsworth
Burns	Foster	Maier	Reilly	Wainwright
Burzynski	Francisco	Malloy	Rigby	Wedemeyer
Byrne	Freidel	Mathews T F	Rogers	West
Cadin	Fuller	Matthews C R	Rosenstein	Wemple
Cahn	Gardner	McKeown	Salomon	Whitney F G
Callahan	Gates	McManus	Sammon	Whitney G H
Carrier	Grady	Mead	Santee	Wiegand
Caughlan	Grattan	Merritt	Schoeneck	Wilsnack
Charles E E	Gray	Miller	Shanahan	Wilson
Charles W B	Gurnett	Monroe	Sheehy	Wolf
Cooke	Hackett	Moreland	Sherry	Wood F C
Coon	Hammond	Murphy	Shuttleworth	Wood F X
Cotton	Hanford	Newton	Slocum	Yale
Coutant	Hapeman	Nugent	Smith A P	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill and as amended have again passed the same and request the concurrence of the Senate therein.

The bill (No. 978) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of purchasing school lots and erecting, completing and enlarging school buildings" (Int. No. 836), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hooper	Patton	Smith R H
Allen F E	Coutant	Hubbs	Pendry	Standart
Allen J G	Cowan	Hurd	Phillips	Stanley
Anderson	Cunningham	Kavanaugh	Plank	Steele
Apgar	Dale	Knapp	Platt	Sullivan
Bass	Dodd	La Fetra	Pratt	Tenjost
Becker	Donovan	La Rue	Prentice	Thompson G F
Bedell	Dowling	Leggett	Prince	Thompson J A
Beebe	Ellis	Lewis	Quinn	Thonet
Beihilf	Etzel	Maier	Reeve	Tompkins
Bird	Everett	Malloy	Reilly	Waddell
Bisland	Fish	Mathews T F	Rigby	Wade
Brady	Foelker	Matthews C R	Rosenstein	Wagner
Brooks	Foster	McKeown	Salomon	Wadsworth
Burnett	Freidel	McManus	Sammon	Wainwright
Burns	Gardner	Mead	Schoeneck	Wedemeyer
Burzynski	Grady	Merritt	Scovill	West
Byrne	Grattan	Monroe	Shanahan	Whitney F G
Cadin	Gurnett	Moreland	Sheehy	Whitney G H
Cahn	Hackett	Murphy	Sheldon	Wiegand
Carrier	Hammond	Newton	Sherry	Wilsnack
Caughlan	Hanford	Nugent	Slocum	Wilson
Charles E E	Hapeman	Ogden	Smith A P	Wood F C
Charles W B	Hartman	O'Neill	Smith A E	Wood F X
Cooke	Hastings	Palmer	Smith J E	Yale
Coon	Hooker	Parker	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1712) entitled "An act to prevent the emasculation of the National anthem, the Star Spangled Banner, in the text-books in use in the public schools of the State of New York" (Int. No. 1305), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1863) entitled "An act to amend the Forest, Fish and Game Law, relative to the transportation of fish caught in the waters of Missisquoi bay and the tributaries to said bay in the Province of Quebec, and the Richelieu river in said province" (Int. No. 1305), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were :

Agnew	Dodd	Kavanaugh	Perry	Standart
Allen F E	Dowling	Knapp	Phillips	Stanley
Allen J G	Ellis	La Fetra	Plank	Steele
Anderson	Etzel	La Rue	Platt	Stevens
Apgar	Evans	Lewis	Prentice	Sullivan
Bass J	Everett	Machacek	Prince	Tenjost
Becker	Fish	Maier	Quinn	Thompson G F
Beebe	Fitzsimons	Malloy	Reeve	Thompson J A
Beihliff	Foster	Mathews T F	Reilly	Thonet
Bird	Francisco	Matthews C R	Rigby	Tompkins
Bisland	Freidel	McKeown	Rogers	Waddell
Brady	Fuller	McManus	Rosenstein	Wagner
Brooks	Gates	Mead	Salomon	Wadsworth
Burnett	Grady	Merritt	Santee	Wainwright
Burns	Grattan	Miller	Schoeneck	West
Byrne	Gray	Monroe	Scovill	Wemple
Cadin	Gurnett	Moreland	Shanahan	Whitney F G
Cahn	Hammond	Murphy	Sheehy	Whitney G H
Carrier	Hanford	Newton	Sherry	Wiegand
Charles E E	Hapeman	Nugent	Shuttleworth	Wilsnack
Charles W B	Hartman	Ogden	Slocum	Wilson
Cooke	Hastings	O'Neill	Smith A P	Wolf
Coon	Hooker	Palmer	Smith A E	Wood F C
Cotton	Hooper	Parker	Smith J E	Wood F X
Cowan	Hubbs	Patton	Smith J T	Yale
Cunningham	Hurd	Pendry	Smith R H	Young
Dale				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1840) entitled "An act to amend the Forest, Fish and Game Law, relating to trout fishing in the county of Allegany" (Int. No. 466), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Plank	Standart
Allen F E	Cunningham	Hubbs	Platt	Stanley
Allen J G	Dale	Hurd	Pratt	Steele
Apgar	Dodd	Knapp	Prentice	Stevens
Bass	Donovan	La Rue	Prince	Sullivan
Bedell	Downing	Leggett	Quinn	Tenjost
Beebe	Ellis	Lewis	Reeve	Thompson G F
Beihliff	Etzel	Maier	Reilly	Thompson J A
Bisland	Evans	Malloy	Rigby	Thonet
Brady	Everett	Mathews T F	Rogers	Tompkins
Brooks	Fish	Matthews C R	Rosenstein	Waddell
Burnett	Foelker	McManus	Salomon	Wade
Burns	Foster	Mead	Sammon	Wadsworth
Burzynski	Francisco	Merritt	Santee	Wainwright
Byrne	Freidel	Miller	Schoeneck	Wedemeyer
Cadin	Fuller	Monroe	Scovill	West
Cahn	Gardner	Moreland	Shanahan	Wemple
Callahan	Grady	Murphy	Sheehy	Whitney G H
Carrier	Grattan	Newton	Sheldon	Wiegand
Caughlan	Gray	Nugent	Sherry	Wilsnack
Charles E E	Gurnett	Ogden	Shuttleworth	Wilson
Charles W B	Hackett	O'Neill	Slocum	Wolf
Cooke	Hammond	Palmer	Smith A P	Wood F C
Coon	Hapeman	Parker	Smith A E	Wood F X
Cotton	Hartman	Patton	Smith J E	Yale
Coutant	Hastings	Pendry	Smith J T	Young
Cowan	Hooker	Perry	Smith R H	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1604) entitled "An act transferring the unexpended balance in the fund for the enlargement of the Erie, the Oswego and the Cayuga and Seneca canals and for the completion of the Black River and Genesee Valley canals and for the enlargement of locks of the Champlain canal, to the canal

debt sinking fund" (Int. No. 1249), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	Parker	Smith J T
Allen F E	Cowan	Hooker	Patton	Smith R H
Allen J G	Cox	Hooper	Pendry	Standart
Anderson	Cunningham	Hornidge	Phillips	Stanley
Apgar	Dale	Hubbs	Plank	Stevens
Bass	Dodd	Kavanaugh	Platt	Sullivan
Becker	Donovan	Knapp	Pratt	Tenjust
Bedell	Dowling	La Fetra	Prentice	Thompson G F
Beebe	Ellis	La Rue	Prince	Thompson J A
Beihilf	Etsel	Leggett	Quinn	Thonet
Bird	Evans	Lewis	Reeve	Tompkins
Bisland	Everett	Machacek	Reilly	Wade
Brady	Fish	Maier	Rigby	Wagner
Brooks	Fitzsimons	Malloy	Rogers	Wadsworth
Burnett	Foelker	Mathews T F	Rosenstein	Wainwright
Burns	Foster	Matthews C R	Sammon	Wedemeyer
Burzynski	Freidel	McKeown	Santee	West
Byrne	Fuller	McManus	Schoeneck	Wemple
Cadin	Gardner	Mead	Scovill	Whitney F G
Cahn	Gates	Merritt	Shanahan	Whitney G H
Callahan	Grady	Miller	Sheehy	Wiegand
Carrier	Grattan	Monroe	Sheldon	Wilsnack
Caughlan	Gray	Moreland	Sherry	Wilson
Charles E E	Gurnett	Murphy	Shuttleworth	Wolf
Charles W B	Hackett	Newton	Slocum	Wood F C
Cooke	Hammond	Ogden	Smith A P	Wood F X
Coon	Hanford	O'Neill	Smith A E	Yale
Cotton	Hartman	Palmer	Smith J E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 193) entitled "An act to provide for the acquisition of certain real estate and wharf property in the borough of Brooklyn for playground and recreative purposes" (Int. No. 193), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 3

Those who voted in the affirmative were :

Agnew	Cunningham	Hooper	Parker	Smith J E
Allen F E	Dale	Hornidge	Patton	Smith J T
Allen J G	Dodd	Hubbs	Pendry	Standart
Anderson	Donovan	Hurd	Phillips	Stanley
Apgar	Dowling	Kavanaugh	Plank	Steele
Bass	Ellis	Knapp	Platt	Stevens
Bedell	Etzel	La Rue	Pratt	Sullivan
Beebe	Evans	Leggett	Prentice	Tenjost
Beihlf	Fish	Lewis	Prince	Thompson G F
Bird	Fitzsimons	Machacek	Quinn	Thonet
Bisland	Foelker	Maier	Reeve	Tompkins
Brady	Foster	Malloy	Reilly	Waddell
Brooks	Francisco	Mathews T F	Rigby	Wade
Burns	Freidel	Matthews C R	Rosenstein	Wagner
Burzynski	Gardner	McKeown	Salomon	Wadsworth
Byrne	Gates	McManus	Sammon	Wedemeyer
Cadin	Grady	Mead	Santee	West
Cahn	Grattan	Merritt	Schoeneck	Wemple
Callahan	Gray	Miller	Scovill	Whitney F G
Carrier	Gurnett	Monroe	Shanahan	Whitney G H
Caughlan	Hackett	Moreland	Sheehy	Wiegand
Charles E E	Hammond	Murphy	Sheldon	Wilsnack
Cooke	Hanford	Newton	Sherry	Wilson
Coon	Hapeman	Nugent	Shuttleworth	Wolf
Cotton	Hartman	Ogden	Slocum	Wood F C
Coutant	Hastings	O'Neill	Smith A P	Wood F X
Cowan	Hooker	Palmer	Smith A E	Yale
Cox				

Those who voted in the negative were :

Fuller La Fetra Rogers

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1878) entitled "An act to authorize the Comptroller of the State to hear and determine the application of William H. Faxon for cancellation of the tax sales made by the Comptroller in 1881 and 1885, on lot No. 104 of Township 26, Totten and Crossfield's Purchase, Essex county" (Int. No. 545), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were :

Agnew	Cowan	Hooker	Patton	Smith R H
Allen F E	Cox	Hooper	Pendry	Standart
Allen J G	Cunningham	Hornidge	Phillips	Stanley
Anderson	Dale	Hubbs	Plank	Steele
Apgar	Dodd	Hurd	Platt	Stevens
Becker	Donovan	Kavanaugh	Pratt	Tenjust
Bedell	Dowling	Knapp	Prentice	Thompson G F
Beebe	Ellis	La Fetra	Prince	Thompson J A
Beihlf	Etzel	La Rue	Quinn	Thonet
Bird	Evans	Leggett	Reeve	Tompkins
Bisland	Everett	Lewis	Reilly	Waddell
Brady	Fish	Maier	Rigby	Wade
Brooks	Fitzsimons	Malloy	Rogers	Wagner
Burnett	Foelker	Mathews T F	Rosenstein	Wadsworth
Burns	Foster	Matthews C R	Salomon	Wainwright
Burzynski	Francisco	McKeown	Sammon	Wedemeyer
Byrne	Freidel	McManus	Santee	West
Cadin	Fuller	Mead	Schoeneck	Wemple
Cahn	Gates	Merritt	Shanahan	Whitney F G
Callahan	Grady	Monroe	Sheehy	Whitney G H
Carrier	Grattan	Moreland	Sheldon	Wiegand
Caughlan	Gurnett	Murphy	Sherry	Wilsnack
Charles E E	Hackett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Coon	Hapeman	O'Neill	Smith A E	Wood F X
Cotton	Hartman	Palmer	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 130, Assembly reprint No. 1880) entitled "An act to amend the Banking Law, relative to reports of banks and trust companies" (Rec. No. 99), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1324) entitled "An act to amend the Forest, Fish and Game Law, relative to the powers of game protectors" (Int. No. 1078), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1679) entitled "An act to amend the Code of Civil Procedure, relative to the qualification of a referee" (Int. No. 546), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Patton	Smith J T
Allen F E	Cunningham	Hornidge	Pendry	Smith R H
Allen J G	Dale	Hubbs	Phillips	Stanley
Anderson	Dodd	Hurd	Plank	Steele
Apgar	Donovan	Kavanaugh	Platt	Stevens
Bass	Dowling	Knapp	Pratt	Sullivan
Becker	Ellis	La Fetra	Prentice	Tenjost
Bedell	Etsel	La Rue	Prince	Thompson G F
Beebe	Evans	Leggett	Quinn	Thonet
Beihilf	Everett	Lewis	Reeve	Tompkins
Bird	Fish	Machacek	Reilly	Waddell
Bisland	Fitzsimons	Maier	Rigby	Wade
Brady	Foelker	Malloy	Rogers	Wagner
Brooks	Foster	Mathews T F	Rosenstein	Wadsworth
Burnett	Francisco	Matthews C R	Salomon	Wainwright
Burns	Freidel	McKeown	Sammon	Wedemeyer
Burzynski	Fuller	McManus	Santee	West
Byrne	Gates	Mead	Schoeneck	Wemple
Cadin	Grady	Merritt	Scovill	Whitney F G
Callahan	Grattan	Miller	Shanahan	Whitney G H
Carrier	Gray	Monroe	Sheehy	Wiegand
Caughlan	Gurnett	Moreland	Sheldon	Wilsnack
Charles E E	Hackett	Murphy	Sherry	Wilson
Charles W B	Hammond	Newton	Shuttleworth	Wolf
Cooke	Hanford	Nugent	Slocum	Wood F C
Coon	Hapeman	Ogden	Smith A P	Wood F X
Cotton	Hartman	O'Neill	Smith A E	Yale
Coutant	Hastings	Palmer	Smith J E	Young
Cowan	Hooker	Parker		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 977) entitled "An act to create a new boundary line between the Sixth and Twelfth wards of the city of Troy" (Int. No. 835), having been announced for a third reading,

On motion of Mr. Donovan, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1446) entitled "An act to authorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor" (Int. No. 1160), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hurd	Plank	Stanley
Allen F E	Cunningham	Kavanaugh	Platt	Steele
Allen J G	Dodd	Knapp	Pratt	Stevens
Anderson	Donovan	La Fetra	Prentice	Sullivan
Apgar	Dowling	Leggett	Prince	Tenjust
Bass	Etzel	Lewis	Quinn	Thompson G F
Becker	Evans	Machacek	Reeve	Thompson J A
Bedell	Everett	Maier	Reilly	Thonet
Beebe	Fish	Malloy	Rigby	Tompkins
Beihlf	Fitzsimons	Mathews T F	Rogers	Waddell
Bisland	Foelker	Matthews C R	Rosenstein	Wade
Brady	Francisco	McKeown	Salomon	Wagner
Brooks	Freidel	McManus	Sammon	Wadsworth
Burnett	Fuller	Mead	Santee	Wainwright
Burns	Gardner	Merritt	Schoeneck	Wedemeyer
Burzynski	Grady	Monroe	Scovill	West
Byrne	Grattan	Moreland	Shanahan	Wemple
Cadin	Gray	Murphy	Sheldon	Whitney F G
Cahn	Hackett	Newton	Sherry	Whitney G H
Callahan	Hammond	Nugent	Shuttleworth	Wiegand
Carrier	Hanford	Ogden	Slocum	Wilsnack
Caughlan	Hartman	O'Neill	Smith A P	Wilson
Charles E E	Hastings	Palmer	Smith A E	Wolf
Charles W B	Hooker	Parker	Smith J E	Wood F C
Cooke	Hooper	Patton	Smith J T	Wood F X
Coon	Hornidge	Pendry	Smith R H	Yale
Coutant	Hubbs	Perry	Standart	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 882) entitled "An act to amend the Greater New York charter so as to authorize the issue of corporate stock in order to provide for deficiencies arising from uncollectable taxes" (Int. No. 767), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Palmer	Smith A E
Allen F E	Cox	Hooper	Parker	Smith J T
Allen J G	Cunningham	Hornidge	Patton	Smith R H
Anderson	Dale	Hubbs	Perry	Standart
Apgar	Dodd	Hurd	Phillips	Stanley
Bass	Donovan	Kavanaugh	Plank	Steele
Becker	Dowling	Knapp	Platt	Sullivan
Bedell	Ellis	La Fetra	Pratt	Tenjost
Beebe	Etzel	La Rue	Prentice	Thompson G F
Beihilf	Evans	Leggett	Prince	Thompson J A
Bird	Everett	Lewis	Quinn	Tompkins
Bisland	Fish	Machacek	Reeve	Waddell
Brady	Fitzsimons	Maier	Reilly	Wade
Brooks	Foelker	Malloy	Rigby	Wagner
Burnett	Francisco	Mathews T F	Rogers	Wadsworth
Burns	Freidel	Matthews C R	Rosenstein	Wedemeyer
Burzynski	Fuller	McKeown	Salomon	West
Byrne	Gates	McManus	Sammon	Wemple
Cadin	Grady	Mead	Santee	Whitney F G
Cahn	Grattan	Merritt	Schoeneck	Whitney G H
Callahan	Gray	Miller	Scovill	Wiegand
Carrier	Gurnett	Monroe	Shanahan	Wilsnack
Callahan	Hackett	Moreland	Sheehy	Wilson
Charles E E	Hammond	Murphy	Sheldon	West
Charles W B	Hanford	Newton	Sherry	Wood F C
Coon	Hapeman	Nugent	Shuttleworth	Wood F X
Cotton	Hartman	Ogden	Slocum	Yale
Coutant	Hastings	O'Neill	Smith A P	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1614) entitled "An act to provide for the acquisi-

tion of certain real estate, and to lay out a playground in the borough of Brooklyn " (Int. No. 1259), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Phillips	Stanley
Allen F E	Cox	Hooper	Plank	Steele
Allen J G	Cunningham	Hornidge	Platt	Stevens
Anderson	Dale	Hubbs	Pratt	Sullivan
Apgar	Dodd	Hurd	Prentice	Tenjest
Bass	Donovan	Kavanaugh	Prince	Thompson G F
Becker	Dowling	Knapp	Quinn	Thompson J A
Bedell	Ellis	La Rue	Reeve	Thonet
Beebe	Etzel	Lewis	Reilly	Tompkins
Beihlf	Evans	Malloy	Rigby	Waddell
Bird	Everett	Mathews T F	Rogers	Wade
Bisland	Fish	McKeown	Rosenstein	Wagner
Brady	Fitzsimons	McManus	Salomon	Wadsworth
Brooks	Foelker	Merritt	Sammon	Wainwright
Burnett	Foster	Miller	Santee	Wedemeyer
Burns	Francisco	Monroe	Schoeneck	West
Burzynski	Freidel	Moreland	Scovill	Wemple
Byrne	Gardner	Murphy	Shanahan	Whitney F G
Cadin	Gates	Newton	Sheehy	Whitney G H
Cahn	Grady	Nugent	Sherry	Wiegand
Callahan	Gray	Ogden	Shuttleworth	Wilsnack
Carrier	Gurnett	O'Neill	Smith A P	Wilson
Caughlan	Hackett	Palmer	Smith A E	Wolf
Charles E E	Hammond	Parker	Smith J E	Wood F C
Charles W B	Hapeman	Patton	Smith J T	Wood F X
Cooke	Hartman	Pendry	Smith R H	Yale
Coon	Hastings	Perry	Standart	Young
Cotton				

Those who voted in the negative were:

Fuller

La Petra

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 787) entitled "An act to amend chapter 413 of the Laws of 1892, entitled 'An act to provide for the con-

struction of a draw-bridge over the Harlem river in the city of New York, and for the removal of the present bridge at Third avenue in said city,' as amended by chapter 540 of the Laws of 1894 and as amended by chapter 716 of the Laws of 1896 " (Rec. No. 195), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hooper	Pendry	Steele
Allen F E	Cowan	Hornidge	Perry	Stevens
Allen J G	Cunningham	Hubbs	Phillips	Sullivan
Anderson	Dale	Hurd	Plank	Tenlost
Apgar	Dodd	Kavanaugh	Platt	Thompson G F
Bass	Donovan	Knapp	Pratt	Thompson J A
Becker	Dowling	La Fetra	Prentice	Thonet
Bedell	Etzel	La Rue	Quinn	Tompkins
Beebe	Evans	Leggett	Reeve	Waddell
Beihilf	Everett	Lewis	Reilly	Wade
Bird	Fitzsimons	Machacek	Rogers	Wagner
Bisland	Foelker	Malloy	Rosenstein	Wadsworth
Brady	Francisco	Mathews T F	Salomon	Wainwright
Brooks	Freidel	Matthews C R	Sammon	Wedemeyer
Burnett	Fuller	McKeown	Schoeneck	West
Burns	Gardner	McManus	Scovill	Wemple
Burzynski	Gates	Merritt	Shanahan	Whitney F G
Byrne	Grady	Miller	Sheldon	Whitney G H
Cadin	Grattan	Monroe	Sherry	Wiegand
Cahn	Gray	Moreland	Shuttleworth	Wilsnack
Callahan	Gurnett	Newton	Slocum	Wilson
Carrier	Hammond	Nugent	Smith A E	Wolf
Caughlan	Hanford	O'Neill	Smith J T	Wood F C
Charles E E	Hapeman	Palmer	Smith R H	Wood F X
Charles W B	Hartman	Parker	Standart	Yale
Cooke	Hastings	Patton	Stanley	Young
Coon	Hooker			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 860) entitled "An act relating to the investment, by the chamberlain of the city of New York, of funds

or moneys paid into court in the counties of New York, Kings, Queens and Richmond" (Rec. No. 210), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 852) entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to health districts" (Rec. No. 191), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hurd	Plank	Standart
Allen F E	Dale	Kavanaugh	Platt	Stanley
Allen J G	Dodd	La Fetra	Pratt	Steele
Anderson	Donovan	La Rue	Prentice	Stevens
Apgar	Ellis	Leggett	Prince	Sullivan
Bass	Etzel	Lewis	Quinn	Tenjust
Becker	Evans	Maier	Reeve	Thompson G F
Bedell	Everett	Malloy	Reilly	Thompson J A
Beebe	Fish	Mathews T F	Rigby	Thonet
Beihlf	Fitzsimons	Matthews C R	Rogers	Tompkins
Bird	Foelker	McKeown	Rosenstein	Wade
Bisland	Foster	McManus	Salomon	Wagner
Brady	Freidel	Mead	Sammon	Wadsworth
Brooks	Fuller	Merritt	Santee	Wainwright
Burnett	Gates	Miller	Schoeneck	Wedemeyer
Burns	Grady	Monroe	Scovill	West
Burzynski	Grattan	Moreland	Shanahan	Wemple
Byrne	Gray	Murphy	Sheehy	Whitney F G
Cahn	Hackett	Newton	Sheldon	Whitney G H
Callahan	Hammond	Ogden	Sherry	Wiegand
Carrier	Hanford	O'Neill	Shuttleworth	Wilsnack
Charles E E	Hapeman	Palmer	Slocum	Wilson
Charles W B	Hartman	Parker	Smith A P	Wolf
Cooke	Hastings	Patton	Smith A E	Wood F C
Coon	Hooker	Pendry	Smith J T	Wood F X
Cotton	Hooper	Perry	Smith J E	Yale
Coutant	Hornidge	Phillips	Smith R H	Young
Cowan	Hubbs			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 874) entitled "An act to amend the Banking Law with reference to a semiannual examination by directors of banks and trust companies" (Rec. No. 196), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 875) entitled "An act to amend the Banking Law, relative to communications from the Banking Department to banks, savings banks and trust companies" (Rec. No. 187), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 612) entitled "An act to amend the Insurance Law, as to how surplus profits are to be estimated in the case of domestic fire insurance corporations" (Rec. No. 203), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 469) entitled "An act to authorize the city of Buffalo to convey by quit-claim deed to the Delaware, Lackawanna and Western Railroad Company and the New York, Lackawanna and Western Railway Company a part of Liberty street in said city" (Rec. No. 246), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate returned the bill (No. 1330, Senate reprint No. 1121) entitled "An act to revise the several acts relative to the

city of Tonawanda" (Int. No. 781), with a message that they have concurred in the passage of the same with the following amendments:

Page 2, line 25, strike out "hree" and insert the word "three."

Page 18, line 9, strike out "exam" and insert the word "examination."

Page 40, line 25, strike out "anp" and insert the word "and."

Page 45, line 9, strike out "wth" and insert the word "with."

Page 53, line 8, after the word "shall" insert the word "have."

Page 76, line 18, strike out the word "town" and insert the word "towns."

Page 99, line 22, strike out the word "empowdered" and insert the word "empowered."

Page 106, line 22, after the word "shall" insert the word "have."

Page 163, line 18, after the word "completion" insert the word "of."

Page 169, line 6, strike out the word "act" and insert the word "acts."

Mr. Patton moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Patton	Smith A E
Allen F E	Dale	Hubbs	Pendry	Smith J T
Allen J G	Dodd	Kavanaugh	Perry	Smith R H
Apgar	Dowling	Knapp	Phillips	Stanley
Bass	Ellis	La Fetra	Plank	Steele
Becker	Evans	Leggett	Platt	Stevens
Bedell	Everett	Lewis	Pratt	Tenjost
Beebe	Fitzsimons	Machacek	Prentice	Thompson G F
Beihilf	Foelker	Maier	Prince	Thompson J A
Bisland	Foster	Malloy	Quinn	Tompkins
Brady	Francisco	Mathews T F	Reeve	Waddell
Brooks	Freidel	Matthews C R	Reilly	Wagner
Burnett	Fuller	McKeown	Rigby	Wadsworth

Burns	Gardner	McManus	Rogers	Wainwright
Burzynski	Gates	Mead	Rosenstein	Wedemeyer
Cadin	Grady	Merritt	Sammon	Wemple
Cahn	Grattan	Monroe	Santee	Whitney F G
Callahan	Gurnett	Moreland	Schoeneck	Whitney G H
Caughlan	Hackett	Murphy	Scovill	Wilsnack
Charles E E	Hanford	Newton	Shanahan	Wilson
Charles W B	Hapeman	Nugent	Sheldon	Wolf
Cooke	Hartman	Ogden	Sherry	Wood F C
Coon	Hastings	O'Neill	Shuttleworth	Wood F X
Cotton	Hooker	Palmer	Slocum	Yale
Cowan	Hooper	Parker	Smith A P	Young
Cox				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Wainwright called up the Assembly bill No. 659, entitled "An act to amend the Village Law in relation to village elections" (Int. No. 592), heretofore recalled from the Governor pursuant to concurrent resolution of the Senate and Assembly.

Mr. Wainwright moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hurd	Perry	Standart
Allen F E	Cox	Knapp	Phillips	Steele
Allen J G	Cunningham	La Fetra	Plank	Stevens
Anderson	Dale	La Rue	Platt	Sullivan
Apgar	Dodd	Leggett	Pratt	Thompson G F
Bass	Dowling	Lewis	Prentice	Thompson J A
Becker	Ellis	Machacek	Prince	Thonet
Bedell	Evans	Malloy	Quinn	Waddell
Beihilf	Everett	Mathews T F	Reeve	Wade
Bird	Fitzsimons	Matthews C R	Rigby	Wagner
Bisland	Foelker	McKeown	Rogers	Wadsworth
Brady	Francisco	McManus	Rosenstein	Wainwright
Brooks	Freidel	Mead	Salomon	Wedemeyer
Burnett	Fuller	Merritt	Sammon	West
Burns	Gates	Miller	Santee	Wemple
Burzynski	Grady	Moreland	Schoeneck	Whitney F G
Byrne	Grattan	Murphy	Scovill	Whitney G H

Cadin	Gray	Newton	Shanahan	Wiegand
Cahn	Gurnett	Nugent	Sheehy	Wilsnack
Callahan	Hackett	Ogden	Sheldon	Wilson
Carrier	Hanford	O'Neill	Shuttleworth	Wolf
Charles E E	Hapeman	Palmer	Smith A P	Wood F C
Charles W B	Hastings	Parker	Smith J E	Wood F X
Cooke	Hooker	Patton	Smith J T	Yale
Coon	Hornidge	Pendry	Smith R H	Young
Coutant	Hubbs			

Mr. Wainwright moved that said bill be recommitted to the committee on affairs of villages, with instructions to report the same forthwith amended as follows:

Page 3, line 13, strike out the word "the."

Page 4, line 1, change the word "offices" to the word "officers."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Steele, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the bill (No. 1330, Senate reprint No. 1121) entitled "An act to revise the several acts relative to the city of Tonawanda." (Int. No. 781.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Tonawanda.

A communication was received from Hon. James G. Cutler, mayor of the city of Rochester, returning the bill No. 1523, entitled "An act to amend chapter 581 of the Laws of 1901, entitled 'An act to authorize the construction and maintenance of a public market or markets in the city of Rochester, and the location and acquisition of grounds therefor, and to provide for the maintenance thereof'" (Int. No. 971), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Rogers, the House adjourned.

MONDAY, APRIL 10, 1905.

The House met pursuant to adjournment.

Prayer by Rev. A. H. Lucas.

On motion of Mr. Rogers, the reading of the journal of Friday, April 7, 1905, was dispensed with, and the same was approved.

Mr. F. E. Allen was excused until Wednesday, April 12.

The privileges of the floor were extended to Hon. Charles Knipp, a former member.

The Senate sent for concurrence the following entitled bills:

"An act to amend sections 17, 28, 41, 43, 44, 45, 47, 48, 50, 72, 73, 74, 75 and 242 of the Greater New York charter, with respect to the powers of the board of aldermen and the board of estimate and apportionment" (No. 1048, Rec. No. 280), which was read the first time and referred to the committee on affairs of cities.

"An act to amend sections 43, 44, 47 and 242 of the Greater New York charter, with reference to the respective powers and duties of the board of estimate and apportionment and the board of aldermen" (No. 1074, Rec. No. 281), which was read the first time and referred to the committee on affairs of cities.

"An act to further amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (No. 801, Rec. No. 282), which was read the first time and referred to the committee on affairs of cities.

Mr. Grattan introduced a bill entitled "An act to amend the Penal Code, relating to the unauthorized use of the name, title of office, insignia, ritual or ceremonies of certain orders and societies" (Int. No. 1442), which was read the first time and referred to the committee on codes.

Mr. Hubbs introduced a bill entitled "An act to amend the Forest, Fish and Game Law, in relation to taking wild fowl on Long Island" (Int. No. 1443), which was read the first time and referred to the committee on fisheries and game.

Mr. La Rue introduced a bill entitled "An act to amend chapter 414 of the Laws of 1897, entitled 'An act in relation to villages,

constituting chapter 21 of the general laws,' in relation to poll tax and the enforcement of the collection thereof" (Int. No. 1444), which was read the first time and referred to the committee on affairs of villages.

Mr. Mead introduced a bill entitled "An act to amend the Highway Law, relative to damages for change of grade of highways" (Int. No. 1445), which was read the first time and referred to the committee on internal affairs.

Mr. Agnew introduced a bill entitled "An act to amend the Greater New York charter in relation to the salaries of surgeons of police" (Int. No. 1446), which was read the first time and referred to the committee on affairs of cities.

Mr. Mead introduced a bill entitled "An act to amend the Labor Law, in relation to bakeries" (Int. No. 1447), which was read the first time and referred to the committee on labor and industries.

Mr. Burzynski introduced a bill entitled "An act to authorize the city of Buffalo to acquire the Indian burying ground on Buffam street in the city of Buffalo for park purposes and authorizing the issue of bonds with which to pay for the same and embellishing and improving said grounds" (Int. No. 1448), which was read the first time and referred to the committee on affairs of cities.

Mr. Lewis introduced a bill entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' by authorizing the city of Oswego to raise funds to meet deficit in its department of works" (Int. No. 1449), which was read the first time and referred to the committee on affairs of cities.

Mr. Everett introduced a bill entitled "An act to extend the Grand boulevard and concourse established by chapter 130 of the Laws of 1895, and the approaches thereto" (Int. No. 1450), which was read the first time and referred to the committee on affairs of cities.

Mr. Grattan introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Anna Fleming against the State for damages

alleged to have been sustained by her, and to render judgment therefor" (Int. No. 1451), which was read the first time and referred to the committee on claims.

By unanimous consent,

Mr. Grattan introduced a bill entitled "An act to amend chapter 671 of the Laws of 1892, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' in relation to local improvements" (Int. No. 1452), which was read the first time.

On motion of Mr. Grattan, and by unanimous consent, said bill was read the second time and ordered to a third reading.

By unanimous consent,

Mr. Patton introduced a bill entitled "An act to amend chapter 147 of the Laws of 1903, entitled 'An act making provision for issuing bonds to the amount of not to exceed \$101,000,000 for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year 1903,' in relation to locks and channel" (Int. No. 1453), which was read the first time and referred to the committee on canals.

By unanimous consent,

Mr. Prentice introduced a bill entitled "An act to amend sections 534, 539, 541 and 547 of the Greater New York charter, and the acts amendatory thereof, relative to the department of street cleaning" (Int. No. 1454), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Sammon introduced a bill entitled "An act to amend section 43 of chapter 661 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws'" (Int. No. 1455), which was read the first time and referred to the committee on public health.

By unanimous consent,

Mr. Sammon introduced a bill entitled "An act to amend the Penal Code by adding thereto another section to be known as

section 407-b" (Int. No. 1456), which was read the first time and referred to the committee on codes.

By unanimous consent,

Mr. Thonet introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James L. Gernon, for salary alleged to be due him as Deputy State Factory Inspector, and to render judgment therefor" (Int. No. 1457), which was read the first time and referred to the committee on claims.

By unanimous consent,

Mr. F. C. Wood introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Johnstown,' being chapter 568 of the Laws of 1895" (Int. No. 1458), which was read the first time and referred to the committee on affairs of cities.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1922) entitled "An act to amend chapter 194 of the Laws of 1897, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than 150,000 and less than 190,000, and regulating and prescribing his duties,' generally" (Int. No. 1414), reported the same without recommendations, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

"An act to amend the Liquor Tax Law, relative to the submission of questions as to the sale of liquors in residence districts in certain cities and villages." (No. 141, Int. No. 141.)

"An act to amend the Greater New York charter, relative to certain officers of the municipal court of the city of New York." (No. 439, Int. No. 418.)

"An act to amend the Insurance Law in relation to the incorporation of fraternal beneficiary societies, orders or associations." (No. 839, Int. No. 740.)

"An act authorizing the town of Middletown, Delaware county, to issue bonds to retire outstanding certificates of indebtedness against said town." (No. 1882, Int. No. 1257.)

"An act to amend the Penal Code, in relation to adultery." (No. 1852, Int. No. 785.)

"An act to amend the Forest, Fish and Game Law in relation to the pollution of streams." (No. 1205, Int. No. 994.)

"An act to amend the Election Law, by providing for a special registration of electors absent from the State." (No. 1944, Int. No. 488.)

"An act to amend the Labor Law, relative to the evidence of age of minor employees in factories, mercantile and other establishments." (No. 1918, Int. No. 978.)

"An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown,' in relation to the amount of money to be raised for the use of the board of education." (No. 1920, Int. No. 1300.)

"An act to amend the Consolidated School Law, relative to the alteration of school districts having a bonded indebtedness." (No. 1919, Int. No. 1064.)

"An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' relative to assessments." (No. 1921, Int. No. 1253.)

"An act to amend the Penal Code, in relation to the unlawful taking, copying or use of trade, lists, lists of customers, subscribers, etc." (No. 1916, Int. No. 725.)

"An act to amend the State Finance Law, in relation to the education fund." (No. 1917, Int. No. 1243.)

"An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' relative to service of precept in dispossess proceedings." (No. 1943, Int. No. 863.)

"An act to provide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances

for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects." (No. 1798, Int. No. 26.)

"An act to amend the Penal Code, in relation to crimes against the elective franchises." (No. 1915, Int. No. 775.)

"An act to amend the Code of Civil Procedure, relative to precepts in dispossess proceedings." (No. 1945, Int. No. 862.)

"An act to amend the Greater New York charter, relative to Anniversary day, so-called, as a holiday in the public schools of the borough of Brooklyn, city of New York." (No. 1865, Int. No. 1367.)

"An act to amend the State Charities Law in relation to the transfer of the duties of the treasurer to the agent of Craig Colony for Epileptics, and to reimbursement for maintenance of inmates of the colony." (No. 1816, Int. No. 1349.)

"An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties." (No. 1728, Int. No. 255.)

"An act authorizing the board of education of the city of New York to provide for the construction of swimming pools and the employment of instructors thereat." (No. 1872, Int. No. 965.)

"An act to establish a State Water Commission, to define its powers and duties, and making an appropriation therefor." (No. 1881, Int. No. 976.)

"An act to provide for the erection of a new high school in the city of Syracuse." (No. 1876, Int. No. 1190.)

"An act to amend the Greater New York charter, relative to the acquisition of lands and water rights and the use of waters in Putnam county." (No. 1726, Int. No. 1021.)

"An act to regulate the use of streets, avenues and public places in the city of New York, in the borough of Manhattan, by steam railroads operated at grade." (No. 1950, Int. No. 541.)

"An act authorizing the board of estimate and apportionment of the city of New York to audit and allow and also authorizing the comptroller of the city of New York to pay to certain persons compensation for services actually rendered to the city of New

York in the school board in the year 1899." (No. 1871, Int. No. 1011.)

"An act to amend the Greater New York charter, in relation to the appointment of patrolmen." (No. 1815, Int. No. 1348.)

"An act to amend the Insurance Law relative to mutual benefit fraternities." (No. 1534, Int. No. 1200.)

"An act to amend the Greater New York charter, relative to the salaries of officers." (No. 1874, Int. No. 1145.)

Mr. Plank offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on revision be directed to report Assembly bill No. 1842, entitled "An act to amend the Banking Law, relative to security for loans made by cooperative savings and loan associations" (Int. No. 547), amended as follows:

Page 1, line 3, insert quotation marks after the word "corporations."

Same page, line 4, after the word "corporations" strike out the words "constituting chapter thirty-seven of the general laws."

Page 4, line 24, strike out the word "sixty" and insert the word "seventy-five."

Page 5, line 1, strike out the word "are" and insert the word "is."

Same page, line 5, after the word "purposes" insert the words "on the divided mortgage plan."

Same page, line 9, strike out the brackets, also the word "ten."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 1868) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1373), having been announced for a third reading,

Mr. Palmer moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith amended as follows:

Page 33, strike out lines 15, 16, 17, 18, 24 and 25.

Page 34, strike out lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Fuller moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith amended as follows:

Page 2, strike out lines 24, 25 and 26.

Page 3, strike out lines 1, 2, 3, 4 and 5.

Page 10, strike out lines 5, 6, 7, 8, 9, 10 and 11.

Page 28, strike out lines 8 to 17 inclusive.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Cook moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith amended as follows:

Page 15, line 18, insert after the word "five" the words "For the comptroller, for the payment of judgments of the court of claims, recovered by certain counties against the state and for the repayment, to said counties, of taxes erroneously paid to the state, the sum of eight hundred thousand dollars, or so much thereof as may be necessary."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Perry	Standart
Allen F E	Dale	Hubbs	Phillips	Steele
Allen J G	Dodd	Kavanaugh	Plank	Stevens
Apgar	Donovan	Knapp	Platt	Tenjust
Bass	Dowling	La Fetra	Pratt	Thompson G F

Becker	Etzel	La Rue	Prentice	Thompson J A
Bedell	Evans	Lewis	Prince	Thonet
Beebe	Everett	Machacek	Quinn	Tompkins
Beihlf	Fish	Maier	Reeve	Waddell
Bisland	Foelker	Malloy	Reilly	Wade
Brady	Foster	Mathews T F	Rigby	Wagner
Brooks	Francisco	Matthews C R	Rogers	Wadsworth
Burnett	Freidel	McKeown	Rosenstein	Wainwright
Burzynski	Fuller	McManus	Salomon	Wedemeyer
Byrne	Gardner	Mead	Sammon	West
Cadin	Gates	Merritt	Santee	Wemple
Cahn	Grady	Miller	Schoeneck	Whitney F G
Callahan	Gray	Moreland	Scovill	Whitney G H
Carrier	Gurnett	Murphy	Shanahan	Wiegand
Charles E E	Hackett	Newton	Sheehy	Wilsnack
Charles W B	Hammond	Nugent	Sheldon	Wilson
Cooke	Hanford	Ogden	Sherry	Wolf
Coon	Hapeman	O'Neill	Slocum	Wood F C
Cotton	Hartman	Palmer	Smith A E	Wood F X
Coutant	Hastings	Parker	Smith J E	Yale
Cowan	Hooker	Patton	Smith R H	Young
Cox	Hooper	Pendry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1759) entitled "An act to amend the Insanity Law, relating to the management of State hospitals, abolishing the boards of visitation and creating boards of managers therefor, and defining the powers and duties of the boards of managers and of the State Commission in Lunacy" (Int. No. 496), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Patton	Standart
Allen F E	Cowan	Hooper	Pendry	Stanley
Allen J G	Cox	Hornidge	Perry	Steele
Anderson	Cunningham	Hubbs	Phillips	Stevens
Apgar	Dodd	Hurd	Plank	Sullivan
Bass	Donovan	Knapp	Platt	Thompson G F
Becker	Dowling	La Fetra	Pratt	Thompson J A
Bedell	Ellis	La Rue	Prentice	Thonet

Beebe	Evans	Leggett	Prince	Tompkins
Beihlf	Everett	Machacek	Quinn	Waddell
Bird	Fish	Maier	Reeve	Wade
Bisland	Fitzsimons	Malloy	Reilly	Wagner
Brady	Foelker	Mathews T F	Rigby	Wadsworth
Brooks	Foster	Matthews C R	Rosenstein	Wainwright
Burnett	Francisco	McKeown	Salomon	West
Burns	Freidel	McManus	Sammon	Wemple
Burzynski	Fuller	Mead	Schoeneck	Whitney F G
Byrne	Gardner	Merritt	Scovill	Whitney G H
Cadin	Grady	Miller	Shanahan	Wiegand
Cahn	Grattan	Moreland	Sheehy	Wilsnack
Callahan	Gray	Newton	Sherry	Wilson
Carrier	Gurnett	Nugent	Shuttleworth	Wolf
Caughlan	Hackett	Ogden	Slocum	Wood F C
Charles E E	Hammond	O'Neill	Smith A E	Wood F X
Charles W B	Hanford	Palmer	Smith J E	Yale
Cooke	Hapeman	Parker	Smith J T	Young
Coon	Hartman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1864) entitled "An act to prohibit the construction of any railroad on Livingston street in the borough of Brooklyn in the city of New York" (Int. No. 1366), was read the second time.

On motion of Mr. O'Neill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1866) entitled "An act to provide for the expense of widening Livingston street in the borough of Brooklyn, in the city of New York" (Int. No. 1368), was read the second time.

On motion of Mr. O'Neill, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Rogers moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Agnew	Dodd	Hubbs	Perry	Stevens
Allen F E	Donovan	Hurd	Phillips	Sullivan
Bass	Ellis	Kavanaugh	Plank	Tenjust
Becker	Etzel	Knapp	Pratt	Thompson G F
Bedell	Evans	La Fetra	Prentice	Thompson J A]
Beebe	Everett	La Rue	Prince	Thonet
Beihlf	Fish	Machacek	Quinn	Tompkins
Bird	Fitzsimons	Maier	Rogers	Waddell
Bisland	Foelker	Malloy	Salomon	Wade
Brady	Foster	Mathews T F	Sammon	Wagner

Burnett	Francisco	McManus	Schoeneck	Wadsworth
Burzynski	Freidel	Mead	Scovill	Wainwright
Byrne	Fuller	Merritt	Sheldon	Wedemeyer
Cadin	Gardner	Miller	Sherry	West
Cahn	Gates	Moreland	Shuttleworth	Wemple
Callahan	Grady	Murphy	Slocum	Whitney F G
Carrier	Grattan	Newton	Smith A P	Whitney G H
Caughlan	Hackett	Nugent	Smith A E	Wiegand
Cooke	Hanford	Ogden	Smith J E	Wilsnack
Coon	Hapeman	O'Neill	Smith J T	Wilson
Cotton	Hartman	Palmer	Smith R H	Wolf
Coutant	Hastings	Parker	Standart	Wood F X
Cox	Hooker	Patton	Stanley	Yale
Dale	Hornidge	Pendry	Steele	Young 120

Mr. Rogers moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1950) entitled "An act to regulate the use of the streets, avenues and public places in the city of New York, in the borough of Manhattan, by steam railroads operated at grade" (Int. No. 541), having been announced for a second reading,

Mr. Ellis moved to amend as follows:

Page 1, line 3, after the words "and directed" insert the words "subject to the approval of the board of estimate and apportionment."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 42

NOES 81

Those who voted in the affirmative were:

Anderson	Dodd	La Fetra	Prince	Smith R H
Bird	Donovan	McManus	Quinn	Sullivan
Burns	Ellis	Malloy	Reilly	Thompson J A
Burzynski	Fitzsimons	Mathews T F	Rosenstein	Tompkins
Byrne	Fuller	McKeown	Sammon	Wagner
Cahn	Grady	McManus	Shanahan	Wedemeyer
Caughlan	Hackett	Nugent	Sherry	Wiegand
Cooke	Hornidge	Palmer	Smith A E	Wolf
Dale	Kavanaugh			

Those who voted in the negative were:

Agnew	Etzel	Hurd	Rigby	Thompson G F
Bass	Evans	Knapp	Rogers	Thonet
Becker	Fish	La Rue	Santee	Waddell
Bedell	Foelker	Maier	Schoeneck	Wade

Beebe	Foster	Merritt	Scovill	Wadsworth
Beihlf	Freidel	Miller	Sheldon	Wainwright
Bisland	Gardner	Monroe	Shuttleworth	West
Brady	Gates	Moreland	Slocum	Wemple
Burnett	Grattan	Murphy	Smith A P	Whitney F G
Cadin	Hammond	Newton	Smith J E	Whitney G H
Callahan	Hanford	Ogden	Smith J T	Wilsnack
Carrier	Hapeman	Parker	Standart	Wilson
Charles E E	Hartman	Patton	Stanley	Wood F C
Coon	Hastings	Perry	Steele	Wood F X
Cotton	Hooker	Phillips	Stevens	Yale
Coutant	Hubbs	Plank	Tenjost	Young
Cox				

Said bill was then read the second time.

On motion of Mr. Stanley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1949) entitled "An act to amend sections 43, 44, 47 and 242 of the Greater New York charter, with reference to the respective powers and duties of the board of estimate and apportionment, and the board of aldermen" (Int. No. 1288), having been announced for a second reading.

On motion of Mr. Stanley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1948) entitled "An act to amend sections 17, 28, 41, 43, 44, 45, 47, 48, 50, 72, 73, 74, 75 and 242 of the Greater New York charter, with respect to the powers of the board of aldermen, and the board of estimate and apportionment" (Int. No. 1273), having been announced for a second reading.

On motion of Mr. Stanley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1947) entitled "An act to further amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1287), having been announced for a second reading,

On motion of Mr. Stanley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1776) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim

of Frank Rubano, an infant, by Felide Rubano, his guardian ad litem, against the State, for damages for personal injuries sustained by said infant in being run over by a horse and ambulance wagon attached to one of the public hospitals in the borough of Manhattan, city of New York" (Int. No. 1325), was read the second time.

On motion of Mr. Young, said bill was placed on the order of third reading.

On motion of Mr. Young, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1441) entitled "An act to amend chapter 632 of the Laws of 1903, entitled 'An act to regulate the practice of barbering in the State of New York; to establish a State Board of Barber Examiners, and to provide for the sanitary inspection of barber shops,' in relation to the renewal of certificates of registration and qualification, return of moneys, apprentices and sub-boards" (Int. No. 1155), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1831) entitled "An act to amend the Railroad Law relative to percentage of gross receipts to be paid by street surface railroads in cities or villages" (Int. No. 946), having been announced for a second reading,

On motion of Mr. Dale, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1890) entitled "An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville,' relating to city elections and city officers" (Int. No. 1378), was read the second time.

On motion of Mr. Santee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1742) entitled "An act to amend chapter 46 of the

general laws known as the Real Property Law " (Int. No. 1312), was read the second time.

On motion of Mr. Cahn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 864) entitled "An act to amend the County Law relating to county jails" (Int. No. 749), was read the second time.

On motion of Mr. Becker said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 707) entitled "An act to amend the County Law, relative to empowering supervisors to make arrests" (Int. No. 627), was read the second time.

On motion of Mr. Becker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1803) entitled "An act to amend chapter 381 of the Laws of 1899, entitled 'An act relating to attendants upon the Supreme Court and county court in and for the county of Monroe,' in relation to the salary of such attendants" (Int. No. 1336), was read the second time.

On motion of Mr. Callahan, said bill was placed on the order of third reading.

On motion of Mr. Callahan, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Parker	Smith J T
Allen F E	Cunningham	Hubbs	Patton	Smith R H
Allen J G	Dale	Hurd	Pendry	Standart
Anderson	Donovan	Kavanaugh	Perry	Stanley
Apgar	Dowling	Knapp	Phillips	Steele

Bass	Ellis	La Fetra	Plank	Stevens
Becker	Etzel	La Rue	Platt	Sullivan
Bedell	Evans	Leggett	Pratt	Thompson G F
Beebe	Everett	Lewis	Prentice	Thompson J A
Bird	Fish	Machacek	Quinn	Tompkins
Bisland	Fitzsimons	Maier	Reeve	Waddell
Brady	Foelker	Malloy	Reilly	Wade
Brooks	Francisco	Mathews T F	Rigby	Wagner
Burnett	Freidel	Matthews C R	Rogers	Wadsworth
Burns	Fuller	McKeown	Rosenstein	Wainwright
Burzynski	Gardner	McManus	Salomon	Wedemeyer
Byrne	Grady	Mead	Sammon	Wemple
Cadin	Grattan	Merritt	Santee	Whitney F G
Callahan	Gray	Miller	Schoeneck	Whitney G H
Carrier	Gurnett	Monroe	Scovill	Wiegand
Caughlan	Hammond	Moreland	Shanahan	Wilson
Charles E E	Hanford	Newton	Sheldon	Wolf
Charles W B	Hapeman	Nugent	Sherry	Wood F C
Cooke	Hartman	Ogden	Shuttleworth	Wood F X
Coon	Hooker	O'Neill	Smith A P	Yale
Cotton	Hooper	Palmer	Smith A E	Young
Cowan				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1781) entitled "An act to amend the Highway Law in relation to private roads, and to repeal certain parts thereof" (Int. No. 1330), was read the second time.

On motion of Mr. Parker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 894) entitled "An act to provide for the representation of the State of New York at the Lewis and Clark Centennial Exposition, at Portland, Ore., and reappropriating money heretofore appropriated for such purpose" (Int. No. 783), was read the second time.

On motion of Mr. Wade, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1177) entitled "An act to authorize the Supreme Court to hear and determine any application made to revise and correct the first separate report of the commissioners of appraisal appointed in proceedings instituted by the city of New York to acquire title to lands for St. Nicholas park and to grant in respect thereto such relief as may be just and equitable" (Int. No. 979), was read the second time.

On motion of Mr. Stanley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1820) entitled "An act to amend chapter 168 of the Laws of 1894, entitled 'An act in relation to the State dams on the Beaver and Moose rivers,' in relation to the commissioners appointed thereby" (Int. No. 1353), was read the second time.

On motion of Mr. Slocum, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1746) entitled "An act to amend the Stock Corporations Law in relation to the power to borrow money and mortgage property" (Int. No. 1317), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1744) entitled "An act to amend chapter 823 of the Laws of 1895, entitled 'An act to regulate barbering on Sunday,' in relation to the borough of Richmond" (Int. No. 1315), was read the second time.

On motion of Mr. Wedemeyer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1946) entitled "An act to amend the State Charities Law, in relation to autopsies at Craig Colony for Epileptics" (Int. No. 458), was read the second time.

On motion of Mr. Wadsworth, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 103) entitled "Concurrent resolution of the Senate and Assembly proposing amendment to article 7 of the Constitution, relating to improvement of highways" (Rec. No. 106), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said resolution was ordered placed on the second reading calendar for Wednesday next.

The Senate bill (No. 1010) entitled "An act to amend the Labor Law relating to the protection of persons employed on buildings in cities" (Rec. No. 223), was read the second time.

On motion of Mr. G. H. Whitney, said bill was placed on the order of third reading.

The Senate bill (No. 857) entitled "An act to amend the Mem-

bership Corporations Law relating to corporations for the prevention of cruelty " (Rec. No. 199), was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading.

The Senate bill (No. 966) entitled "An act to amend chapter 238 of the Laws of 1871, entitled 'An act to provide for the payment of the crier and attendants of the Court of Appeals,' relating to the appointment of a law clerk and a confidential clerk to the chief judge of such court " (Rec. No. 276), was read the second time.

On motion of Mr. Santee, said bill was placed on the order of third reading.

The Senate bill (No. 814) entitled "An act to authorize the town of Pelham, in the county of Westchester, to acquire a site and construct a new town hall in said town, and to issue bonds in payment therefor " (Rec. No. 184), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The Senate bill (No. 253) entitled "An act to amend the General Corporation Law, in relation to the consent of stockholders requisite to an extension of corporate existence " (Rec. No. 188), was read the second time.

On motion of Mr. Cox, said bill was placed on the order of third reading.

The Senate bill (No. 251) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls' in relation to the powers of said city to acquire a water works system " (Rec. No. 66), was read the second time.

On motion of Mr. G. F. Thompson, said bill was placed on the order of third reading.

The bill (No. 1568) entitled "An act to confer on the Court of Claims jurisdiction to hear, audit and determine the claims of the personal representatives of William J. Smith for damages resulting from the death of said William J. Smith by the negligence of the State of New York through its servants and em-

ployees" (Int. No. 224), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1740) entitled "An act to amend the Code of Civil Procedure, relating to actions for partition" (Int. No. 943), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 3

Those who voted in the affirmative were:

Agnew	Cotton	Hartman	Patton	Smith J T
Allen F E	Coutant	Hastings	Pendry	Smith R H
Allen J G	Cowan	Hooker	Perry	Standart
Anderson	Cox	Hornidge	Phillips	Stanley
Apgar	Cunningham	Hubbs	Plank	Steele
Becker	Dale	Hurd	Platt	Stevens
Bedell	Dodd	Kavanaugh	Pratt	Tenjost
Beebe	Dowling	Knapp	Prentice	Thompson G F
Beihilf	Ellis	La Rue	Prince	Thompson J A
Bird	Evans	Leggett	Quinn	Tompkins
Bisland	Everett	Machacek	Reeve	Wade
Brooks	Fitzsimons	Maier	Rigby	Wagner
Burnett	Foelker	Malloy	Rogers	Wadsworth
Burns	Foster	Mathews T F	Rosenstein	Wainwright
Burzynski	Francisco	Matthews C R	Salomon	West
Byrne	Freidel	McKeown	Santee	Whitney F G
Cadin	Gates	Mead	Schoeneck	Whitney G H
Cahn	Grady	Merritt	Scovill	Wiegand
Callahan	Grattan	Monroe	Shanahan	Wilson
Carrier	Gray	Moreland	Sheldon	Wolf
Caughlan	Gurnett	Murphy	Sherry	Wood F C
Charles E E	Hackett	Newton	Shuttleworth	Wood F X
Charles W B	Hammond	Nugent	Smith A P	Yale
Cooke	Hanford	Ogden	Smith A E	Young
Coon	Hapeman	Parker	Smith J E	

Those who voted in the negative were:

Fuller	La Fetra	Palmer
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1855) entitled "An act to amend the County Law, in relation to the power of the board of supervisors of any county to sell, assign, transfer or set over a judgment obtained in the Court of Claims by such county against the State of New York" (Int. No. 228), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 45

Those who voted in the affirmative were:

Agnew	Cowan	Hubbs	Perry	Steele
Allen F E	Cox	Hurd	Phillips	Stevens
Allen J G	Cunningham	Knapp	Plank	Tenjost
Apgar	Dowling	La Rue	Platt	Thompson G F
Bass	Evans	Leggett	Pratt	Thonet
Becker	Fish	Lewis	Prentice	Waddell
Bedell	Foelker	Maier	Reeve	Wade
Beebe	Foster	Matthews C R	Rigby	Wadsworth
Beihlf	Francisco	Mead	Rogers	Wainwright
Bisland	Freidel	Merritt	Santee	West
Brady	Gardner	Miller	Schoeneck	Wemple
Brooks	Gates	Monroe	Scovill	Whitney F G
Burnett	Grattan	Moreland	Sheldon	Whitney G H
Cadin	Hammond	Murphy	Shuttleworth	Wilsnack
Callahan	Hanford	Newton	Slocum	Wilson
Carrier	Hapeman	Ogden	Smith A P	Wood F C
Charles E E	Hartman	O'Neill	Smith J E	Wood F X
Charles W B	Hastings	Parker	Smith J T	Yale
Coon	Hooker	Patton	Standart	Young
Cotton	Hooper	Pendry	Stanley	Speaker
Coutant				

Those who voted in the negative were:

Anderson	Dodd	Hornidge	Palmer	Smith A E
Bird	Donovan	Kavanaugh	Prince	Smith R H
Burns	Ellis	La Petra	Quinn	Sullivan
Burzynski	Everett	Machacek	Rosenstein	Thompson J A
Byrne	Fitzsimons	Malloy	Salomon	Tompkins
Cahn	Fuller	Mathews T F	Sammon	Wagner
Caughlan	Grady	McKeown	Shanahan	Wedemeyer
Cooke	Gurnett	McManus	Sheehy	Wiegand
Dale	Hackett	Nugent	Sherry	Wolff

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and as amended have again passed the same and request the concurrence of the Senate therein.

The bill (No. 1802) entitled "An act to amend chapter 650 of the Laws of 1904, entitled 'An act to revise the charter of the city of Rome,' relative to revising several sections of said charter" (Int. No. 948), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 5

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Parker	Smith R H
Allen F E	Cunningham	Hornidge	Patton	Stanley
Allen J G	Dale	Hubbs	Pendry	Steele
Anderson	Dodd	Hurd	Perry	Stevens
Bass	Dowling	Kavanaugh	Phillips	Sullivan
Becker	Ellis	Knapp	Plank	Tenjost
Bedell	Etzel	La Rue	Pratt	Thompson G F
Beihilf	Evans	Leggett	Prentice	Thompson J A
Bird	Everett	Lewis	Prince	Thonet
Bisland	Fish	Machacek	Quinn	Waddell
Brady	Fitzsimons	Maier	Reeve	Wagner
Brooks	Foster	Malloy	Reilly	Wadsworth
Burnett	Francisco	Mathews T F	Rigby	Wainwright
Burns	Freidel	Matthews C R	Rosenstein	Wedemeyer
Burzynski	Gardner	McKeown	Salomon	West
Byrne	Gates	McManus	Sammon	Wemple
Cadin	Grattan	Mead	Schoeneck	Whitney F G
Callahan	Gray	Merritt	Scovill	Wiegand
Caughlan	Gurnett	Monroe	Sheehy	Wilsnack
Charles E E	Hammond	Moreland	Sheldon	Wilson
Charles W B	Hanford	Murphy	Shuttleworth	Wolf
Cooke	Hapeman	Newton	Slocum	Wood F C
Coon	Hartman	Nugent	Smith A E	Wood F X
Cotton	Hastings	Ogden	Smith J E	Yale
Coutant	Hooker	O'Neill	Smith J T	Young
Cowan				

Those who voted in the negative were:

Cahn	Fuller	La Fetra	Palmer	Wade
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1314) entitled "An act to repeal section 115 of the Lien Law, relating to the exemption of certain articles from the provisions of the Lien Law requiring the filing of contracts of conditional sales" (Int. No. 1068), having been announced for third reading,

Mr. La Rue moved that said bill be recommitted to the committee on general laws, with instructions to report the same forthwith amended as follows:

Section 2, line 10, strike out the word "immediately and add the words, "September first, nineteen hundred and five."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Merritt, from the committee on general laws, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1293) entitled "An act to amend the Compulsory Education Law regarding the powers and duties of truant officers" (Int. No. 1047), having been announced for a third reading,

Mr. Agnew moved that said bill be recommitted to the committee on public education, with instructions to report the same forthwith amended as follows:

Page 2, line 14, strike out all of said line after the word "may."

Same page, line 15, strike out all of said line.

Same page, line 17, strike out the word "such" and insert in place thereof the word "the."

Same page, line 17, after the word "district" insert the words "in which he is appointed."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Wainwright, from the committee on public education, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 150, Assembly reprint No. 1880) entitled "An act to amend the Banking Law, relative to reports of banks and trust companies" (Rec. No. 99), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hornidge	Pendry	Smith R H
Allen F E	Coutant	Hubbs	Perry	Standart
Allen J G	Cowan	Kavanaugh	Phillips	Stanley
Anderson	Cox	Knapp	Platt	Stevens
Apgar	Cunningham	La Fetra	Pratt	Sullivan
Bass	Dale	La Rue	Prince	Tenjust
Becker	Donovan	Leggett	Quinn	Thompson G F
Bedell	Dowling	Lewis	Reeve	Thonet
Beebe	Ellis	Machacek	Reilly	Tompkins
Beihilf	Evans	Maier	Rigby	Waddell
Bird	Everett	Malloy	Rogers	Wagner
Bisland	Fish	Mathews T F	Salomon	Wadsworth
Brady	Foelker	Matthews C R	Sammon	Wainwright
Brooks	Foster	McKeown	Santee	Wedemeyer
Burnett	Francisco	McManus	Schoeneck	Wemple
Burns	Fuller	Mead	Scovill	Whitney F G
Burzynski	Gardner	Merritt	Shanahan	Whitney G H
Byrne	Gates	Monroe	Sheehy	Wiegand
Cadin	Grady	Moreland	Sheldon	Wilsnack
Cahn	Grattan	Newton	Sherry	Wilson
Callahan	Gurnett	Nugent	Shuttleworth	Wolf
Carrier	Hackett	Ogden	Slocum	Wood F C
Charles E E	Hanford	O'Neill	Smith A P	Wood F X
Charles W B	Hapeman	Palmer	Smith A E	Yale
Cooke	Hastings	Parker	Smith J T	Young
Coon	Hooker	Patton		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The bill (No. 1324) entitled "An act to amend the Forest, Fish and Game Law, relative to the powers of game protectors" (Int. No. 1078), was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Coon	Hooper	Palmer	Smith A P
Allen F E	Coutant	Hooker	Parker	Smith J E
Allen J G	Cowan	Hornidge	Patton	Smith J T
Anderson	Cox	Hubbs	Pendry	Smith R H
Apgar	Cunningham	Hurd	Perry	Standart
Bass	Dodd	Kavanaugh	Phillips	Steele
Becker	Donovan	La Petra	Platt	Stevens
Bedell	Ellis	La Rue	Pratt	Sullivan
Beebe	Etzel	Leggett	Prentice	Thompson G F
Beihilf	Evans	Lewis	Prince	Thompson J A
Bird	Everett	Machacek	Quinn	Thonet
Bisland	Fish	Maier	Reeve	Wade
Brady	Fitzsimons	Malloy	Reilly	Wadsworth
Brooks	Foelker	Mathews T F	Rigby	Wainwright
Burnett	Francisco	Matthews C R	Rogers	Wedemeyer
Burns	Freidel	McKeown	Salomon	West
Burzynski	Fuller	McManus	Sammon	Whitney F G
Byrne	Gardner	Mead	Santee	Whitney G H
Cadin	Gates	Miller	Schoeneck	Wiegand
Cahn	Grady	Monroe	Scovill	Wilsnack
Callahan	Gray	Murphy	Shanahan	Wilson
Carrier	Gurnett	Newton	Sheehy	Wood F C
Caughlan	Hackett	Nugent	Sheldon	Wood F X
Charles E E	Hanford	Ogden	Shuttleworth	Yale
Charles W B	Hapeman	O'Neill	Slocum	Young
Cooke	Hartman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 977) entitled "An act to create a new boundary line between the Sixth and Twelfth wards of the city of Troy" (Int. No. 835), having been announced for a third reading,

On motion of Mr. Stevens, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1898) entitled "An act to amend chapter 152 of the Laws of 1899, entitled "An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of

sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths,' in relation to the appointment of sidepath police" (Int. No. 1172), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1903) entitled "An act to amend the Tenement House Act, in relation to fire escapes" (Int. No. 1280), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Phillips	Smith R H
Allen F E	Cunningham	Hubbs	Plank	Standart
Allen J G	Dale	Hurd	Platt	Stanley
Anderson	Dodd	Knapp	Pratt	Steele
Apgar	Donovan	La Fetra	Prince	Sullivan
Becker	Dowling	Leggett	Quinn	Tenjust
Bedell	Ellis	Maier	Reeve	Thompson G F
Beebe	Etzel	Malloy	Reilly	Thonet
Beihilf	Everett	Mathews T F	Rigby	Tompkins
Bird	Fish	Matthews C R	Rogers	Wade
Bisland	Foelker	McKeown	Rosenstein	Wagner
Brooks	Foster	McManus	Salomon	Wadsworth
Burnett	Francisco	Mead	Santee	Wainwright
Burns	Freidel	Miller	Schoeneck	Wedemeyer
Byrne	Gardner	Monroe	Scovill	West
Cadin	Gates	Murphy	Shanahan	Wemple
Callahan	Grady	Newton	Sheldon	Whitney F G
Carrier	Grattan	Nugent	Sherry	Wiegand
Caughlan	Gurnett	Ogden	Shuttleworth	Wilsnack
Charles E E	Hackett	O'Neill	Slocum	Wilson
Charles W B	Hanford	Palmer	Smith A P	Wolf
Cooke	Hapeman	Patton	Smith A E	Wood F X
Coon	Hastings	Pendry	Smith J E	Yale
Cotton	Hooker	Perry	Smith J T	Young
Coutant				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1904) entitled "An act to amend the Code of Civil Procedure, in relation to advancements" (Int. No. 657), having been announced for a third reading,

On motion of Mr. Charles, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 818, Assembly reprint No. 902) entitled "An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants" (Rec. No. 208), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1901) entitled "An act to amend the State Charities Law, authorizing the transfer of inmates of State charitable institutions" (Int. No. 586), having been announced for a third reading,

Mr. Fish moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 19, strike out the word "from" and insert the word "to."

Same page, line 21, strike out the word "to" and insert the word "from."

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1900) entitled "An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers'" (Int. No. 1036), was read the third time, having been printed and upon the desks of the mem-

bers in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117

NOES 00

Those who voted in the affirmative were:

Agnew	Coon	Hanford	O'Neill	Smith J E
Allen F E	Cotton	Hapeman	Palmer	Smith J T
Allen J G	Coutant	Hastings	Parker	Smith R H
Anderson	Cowan	Hooker	Pendry	Stanley
Apgar	Cox	Hornidge	Perry	Steele
Bass	Cunningham	Hubbs	Phillips	Stevens
Becker	Dale	Kavanaugh	Platt	Tenjust
Bedell	Donovan	La Fetra	Prentice	Thompson J A
Beebe	Dowling	La Rue	Prince	Thonet
Beihlf	Ellis	Leggett	Quinn	Waddell
Bird	Etzel	Lewis	Reilly	Wade
Bisland	Evans	Maier	Rigby	Wadsworth
Brooks	Everett	Malloy	Rosenstein	Wainwright
Burnett	Fish	Matthews C R	Salomon	West
Burns	Fitzsimons	McKeown	Santee	Wemple
Burzynski	Foelker	McManus	Schoeneck	Whitney F G
Byrne	Foster	Mead	Scovill	Whitney G H
Cadin	Francisco	Merritt	Shanahan	Wiegand
Cahn	Fuller	Miller	Sheehy	Wilsnack
Callahan	Gardner	Moreland	Sheldon	Wilson
Carrier	Grady	Murphy	Shuttleworth	Wood F C
Charles E E	Grattan	Newton	Slocum	Wood F X
Charles W B	Gray	Ogden	Smith A P	Young
Cooke	Hackett			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1899) entitled "An act to amend chapter 371 of the Laws of 1903, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' in relation to the boundaries of the Ninth ward" (Int. No. 1289), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 114

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hartman	Patton	Smith R H
Allen F E	Cowan	Hooker	Pendry	Stanley
Anderson	Cox	Hooper	Perry	Steele
Apgar	Cunningham	Hornidge	Plank	Sullivan
Becker	Dodd	Hurd	Platt	Tenjest
Bedell	Donovan	Kavanaugh	Pratt	Thompson G F
Beebe	Dowling	Knapp	Prentice	Thonet
Beihilf	Etzel	La Rue	Quinn	Tompkins
Bird	Evans	Lewis	Reeve	Waddell
Bisland	Everett	Maier	Reilly	Wade
Brady	Fish	Malloy	Rigby	Wagner
Brooks	Foelker	Mathews T F	Rosenstein	Wainwright
Burnett	Foster	Matthews C R	Salomon	Wedemeyer
Burns	Francisco	McKeown	Santee	West
Burzynski	Freidel	McManus	Schoeneck	Whitney F G
Byrne	Gardner	Mead	Shanahan	Whitney G H
Cadin	Gates	Miller	Sheehy	Wilsnack
Callahan	Grady	Monroe	Sheldon	Wilson
Carrier	Grattan	Moreland	Sherry	Wood F C
Caughlan	Gurnett	Newton	Slocum	Wood F X
Charles W B	Hackett	Nugent	Smith A P	Yale
Cooke	Hammond	O'Neill	Smith A E	Young
Coon	Hapeman	Palmer	Smith J T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1791) entitled "An act to encourage the formation of companies to supply Pasteurized or clarified milk and cream and pure dairy products and to exempt the same from the provisions of sections 1 and 2 of chapter 290 of the Laws of 1899, and section 7 of the Stock Corporations Law" (Int. No. 1022), having been announced for a third reading,

On motion of Mr. Fish, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1838) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William E. Carney, as executor of the last will and testament of Michael Carney, deceased, for damages against the State, alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1247), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1237) entitled "An act to amend the Greater New York charter relative to the police department of the city of New York" (Int. No. 1042), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 2

Those who voted in the affirmative were:

Allen F E	Coutant	Hooker	Pendry	Smith R H
Allen J G	Cowan	Hooper	Perry	Standart
Anderson	Cox	Hornidge	Plank	Steele
Apgar	Cunningham	Hubbs	Platt	Stevens
Bass	Dodd	Kavanaugh	Pratt	Tenjost
Becker	Donovan	La Fetra	Prince	Thompson G F
Bedell	Dowling	La Rue	Quinn	Thompson J A
Beebe	Ellis	Lewis	Reeve	Tompkins
Beihliff	Evans	Machacek	Reilly	Waddell
Bird	Everett	Malloy	Rigby	Wade
Bisland	Fish	Mathews T F	Rogers	Wagner
Brady	Fitzsimons	Matthews C R	Rosenstein	Wadsworth
Brooks	Foster	McKeown	Salomon	Wedemeyer
Burnett	Francisco	McManus	Sammon	West
Burns	Freidel	Mead	Santee	Wemple
Burzynski	Gardner	Miller	Schoeneck	Whitney G H
Byrne	Gates	Monroe	Scovill	Wiegand
Cadin	Grady	Moreland	Shanahan	Wilsnack
Callahan	Gray	Murphy	Sheehy	Wilson
Carrier	Hackett	Newton	Sherry	Wolf
Caughlan	Hammond	Nugent	Shuttleworth	Wood F C
Charles E E	Hanford	O'Neill	Slocum	Wood F X
Charles W B	Hapeman	Palmer	Smith A E	Yale
Cooke	Hartman	Parker	Smith J E	Young
Cotton	Hastings	Patton	Smith J T	

Those who voted in the negative were:

Prentice Wainwright

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1704) entitled "An act to provide for the compensation of the transcribers or copyists of old or mutilated records in the office of the clerk of the county of Kings" (Int. No. 1297), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	Perry	Stevens
Allen F E	Cowan	Hooper	Phillips	Sullivan
Allen J G	Cox	Hornidge	Plank	Tenjest
Anderson	Cunningham	Hurd	Platt	Thompson G F
Apgar	Dale	Kavanaugh	Prentice	Thompson J A
Becker	Dodd	La Petra	Prince	Thonet
Bedell	Donovan	La Rue	Quinn	Tompkins
Beebe	Ellis	Leggett	Reilly	Waddell
Beihilf	Etzel	Lewis	Rigby	Wade
Bird	Evans	Maier	Rogers	Wagner
Bisland	Everett	Mathews T F	Salomon	Wadsworth
Brady	Fitzsimons	Matthews C R	Sammon	Wainwright
Brooks	Foelker	McKeown	Santee	Wedemeyer
Burnett	Foster	McManus	Seovill	West
Burns	Freidel	Merritt	Shanahan	Wemple
Burzynski	Fuller	Miller	Sheehy	Whitney F G
Cadin	Gardner	Monroe	Sheldon	Whitney G H
Cahn	Gates	Moreland	Sherry	Wiegand
Callahan	Grattan	Murphy	Shuttleworth	Wilsnack
Carrier	Gray	Nugent	Slocum	Wilson
Caughlan	Gurnett	Ogden	Smith A E	Wolf
Charles E E	Hackett	O'Neill	Smith J E	Wood F C
Charles W B	Hammond	Palmer	Smith J T	Wood F X
Cooke	Hanford	Parker	Standart	Yale
Coon	Hapeman	Patton	Stanley	Young
Cotton	Hartman	Pendry	Steele	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1839) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Daniel O'Grady against the State for damages alleged to have been sustained by him, and to enter judgment therefor" (Int. No. 1080), having been announced for a third reading,

On motion of Mr. Standart, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1844) entitled "An act to amend the Public Health Law, relative to the manufacture and sale of patent and proprietary medicines" (Int. No. 159), having been announced for a third reading,

On motion of Mr. Sheldon, said bill was recommitted to the committee on public health, retaining its place on the order of third reading.

The Senate bill (No. 860) entitled "An act relating to the investment, by the chamberlain of the city of New York, of funds or moneys paid into the court in the counties of New York, Kings, Queens and Richmond" (Rec. No. 210), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hubbs	Phillips	Smith R H
Allen F E	Cox	Kavanaugh	Plank	Stanley
Allen J G	Dale	Knapp	Platt	Steele
Anderson	Dodd	La Fetra	Pratt	Stevens
Apgar	Donovan	Leggett	Prentice	Sullivan
Bass	Dowling	Machacek	Prince	Tenjost
Becker	Ellis	Maier	Quinn	Thompson G F
Bedell	Evans	Malloy	Reeve	Thompson J A
Beebe	Everett	Mathews T F	Reilly	Thonet
Beihlf	Fish	Matthews C R	Rigby	Tompkins
Bird	Fitzsimons	McKeown	Rogers	Waddell
Bisland	Foelker	McManus	Salomon	Wade
Brady	Foster	Mead	Sammon	Wadsworth
Burnett	Freidel	Miller	Santee	Wainwright
Burns	Fuller	Monroe	Schoeneck	Wedemeyer
Burzynski	Gardner	Moreland	Scovill	Wemple
Cadin	Gates	Murphy	Shanahan	Whitney F G
Cahn	Grattan	Newton	Sheehy	Whitney G H
Callahan	Gurnett	Ogden	Sheldon	Wiegand
Caughlan	Hackett	O'Neill	Sherry	Wilsnack
Charles E E	Hammond	Parker	Slocum	Wilson

Charles W B	Hanford	Parker	Smith A P	Wolf
Cooke	Hartman	Patton	Smith A E	Wood F X
Coon	Hastings	Pendry	Smith J E	Yale
Cotton	Hooper	Perry	Smith J T	Young
Coutant	Hornidge			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 874) entitled "An act to amend the Banking Law with reference to a semi-annual examination by directors of banks and trust companies" (Rec. No. 196), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 00

Those who voted in the affirmative were:

Agnew	Cooke	Hammond	Newton	Shuttleworth
Allen F E	Coon	Hanford	Ogden	Slocum
Allen J G	Coutant	Hartman	O'Neill	Smith A E
Anderson	Cowan	Hastings	Palmer	Smith J E
Apgar	Cunningham	Hooker	Parker	Smith J T
Bass	Dale	Hooper	Patton	Standart
Becker	Donovan	Hornidge	Pendry	Stanley
Bedell	Dowling	Hubbs	Perry	Stevens
Beebe	Ellis	Hurd	Phillips	Sullivan
Beihlf	Etzel	Knapp	Platt	Thompson G F
Bird	Evans	La Fetra	Pratt	Thonet
Bisland	Everett	La Rue	Prentice	Tompkins
Brady	Fish	Leggett	Prince	Wagner
Burnett	Fitzsimons	Lewis	Quinn	Wainwright
Burns	Foelker	Maier	Reilly	West
Burzynski	Francisco	Malloy	Rigby	Whitney F G
Byrne	Freidel	Mathews T F	Rosenstein	Whitney G H
Cadin	Fuller	Matthews C R	Salomon	Wilsnack
Cahn	Gardner	McKeown	Santee	Wolf
Callahan	Grady	McManus	Schoeneck	Wood F C
Carrier	Grattan	Merritt	Shanahan	Wood F X
Caughlan	Gray	Monroe	Sheehy	Yale
Charles E E	Gurnett	Moreland	Sheldon	Young
Charles W B	Hackett	Murphy		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 875) entitled "An act to amend the Banking Law, relative to communications from the Banking Department to banks, savings banks and trust companies" (Rec. No. 187), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooper	Perry	Smith R H
Allen F E	Cowan	Hornidge	Phillips	Standart
Allen J G	Cunningham	Hubbs	Plank	Stanley
Anderson	Dale	Hurd	Platt	Stevens
Apgar	Dodd	Kavanaugh	Pratt	Sullivan
Bass	Donovan	La Rue	Prince	Tenjost
Becker	Dowling	Leggett	Quinn	Thompson J A
Bedell	Etsel	Machacek	Reeve	Thonet
Beebe	Evans	Maier	Reilly	Tompkins
Beihilf	Fish	Malloy	Rigby	Waddell
Bird	Fitzsimons	Mathews T F	Rogers	Wade
Bisland	Foelker	Matthews C R	Salomon	Wagner
Brady	Foster	McKeown	Sammon	Wadsworth
Brooks	Francisco	McManus	Santee	Wainwright
Burnett	Freidel	Mead	Schoeneck	Wedemeyer
Burzynski	Fuller	Merritt	Scovill	West
Cadin	Gates	Miller	Shanahan	Wemple
Cahn	Grady	Moreland	Sheehy	Whitney G H
Callahan	Gray	Murphy	Sheldon	Wiegand
Carrier	Gurnett	Newton	Sherry	Wilson
Caughlan	Hackett	Nugent	Slocum	Wolf
Charles E E	Hammond	Ogden	Smith A P	Wood F C
Charles W B	Hanford	Palmer	Smith A E	Wood F X
Cooke	Hapeman	Parker	Smith J E	Yale
Coon	Hartman	Patton	Smith J T	Young
Cotton	Hooker	Pendry		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 612) entitled "An act to amend the Insurance Law, as to how surplus profits are to be estimated in the case of domestic fire insurance corporations" (Rec. No. 203), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 469) entitled "An act to authorize the city of Buffalo to convey by quit-claim deed to the Delaware, Lackawanna and Western Railroad Company and the New York, Lackawanna and Western Railway Company a part of Liberty street in said city" (Rec. No. 246), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Coon	Hammond	Patton	Smith J E
Allen F E	Cotton	Hanford	Pendry	Smith J T
Allen J G	Coutant	Hartman	Perry	Smith R H
Anderson.	Cowan	Hastings	Plank	Standart
Apgar	Cunningham	Hooker	Platt	Steele
Bass	Dale	Hornidge	Pratt	Stevens
Becker	Dodd	Hubbs	Prentice	Sullivan
Bedell	Donovan	Kavanaugh	Prince	Tenjost
Beihlf	Dowling	La Fetra	Quinn	Thompson G F
Bird	Ellis	Leggett	Reeve	Thonet
Bisland	Etzel	Lewis	Reilly	Tompkins
Brady	Evans	Maier	Rigby	Wade
Brooks	Everett	Malloy	Rogers	Wagner
Burnett	Fish	Mathews T F	Rosenstein	Wadsworth
Burns	Fitzsimons	Matthews C R	Salomon	Wainwright
Burzynski	Foelker	McKeown	Sammon	West
Byrne	Foster	McManus	Santee	Wemple
Cadin	Francisco	Merritt	Schoeneck	Whitney G H
Cahn	Freidel	Monroe	Scovill	Wiegand
Callahan	Gardner	Moreland	Shanahan	Wilson
Carrier	Gates	Murphy	Sheldon	Wolf
Caughlan	Grady	Nugent	Sherry	Wood F C
Charles E E	Grattan	Ogden	Shuttleworth	Wood F X
Charles W B	Gray	O'Neill	Slocum	Yale
Cooke	Hackett	Parker	Smith A E	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 770) entitled "An act to release the interest of the people of the State of New York in certain real estate in the city and county of New York, State of New York, to Raoul Dupuy, Marie Bazian (nee Marie Dupuy), Josephe Despeyroux Paris, Eleonore Despeyroux Lamarque, Julianne Despeyroux, Marie Pauline Basso and Alexandre Basso, and to their heirs and assigns forever" (Rec. No. 151), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 524) entitled "An act to amend section 359 of the Code of Civil Procedure, relative to stenographer for county court of Kings county" (Rec. No. 155), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Palmer	Smith R H
Allen F E	Cunningham	Hooper	Parker	Standart
Allen J G	Dale	Hornidge	Patton	Steele
Anderson	Donovan	Hubbs	Pendry	Stevens
Apgar	Dowling	Hurd	Perry	Sullivan
Bass	Ellis	Kavanaugh	Phillips	Thompson G F
Becker	Etzel	Knapp	Plank	Thompson J A
Bedell	Evans	La Fetra	Platt	Thonet
Beebe	Everett	Leggett	Pratt	Tompkins
Beihlf	Fish	Lewis	Prentice	Waddell
Bird	Fitzsimons	Machacek	Prince	Wade
Bisland	Foster	Maier	Reeve	Wagner
Brady	Francisco	Malloy	Reilly	Wadsworth
Burnett	Freidel	Mathews T F	Rigby	Wainwright

Burns	Fuller	Matthews C R	Rosenstein	Wedemeyer
Burzynski	Gardner	McKeown	Salomon	West
Byrne	Gates	McManus	Sammon	Wemple
Cahn	Grady	Mead	Santee	Whitney G H
Callahan	Grattan	Merritt	Schoeneck	Wiegand
Carrier	Gray	Miller	Shanahan	Wilsnack
Caughlan	Gurnett	Monroe	Sheehy	Wilson
Charles E E	Hackett	Moreland	Sherry	Wolf
Charles W B	Hammond	Murphy	Shuttleworth	Wood F C
Cooke	Hanford	Newton	Slocum	Wood F X
Coon	Hapeman	Nugent	Smith A P	Yale
Coutant	Hartman	Ogden	Smith J E	Young
Cowan	Hastings	O'Neill	Smith J T	

Ordered. That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 93) entitled "An act to release to Louisa Walters, widow of William Walters, all the right, title, and interest of the people of the State of New York in and to certain real estate situate in the town of North Castle, county of Westchester, State of New York, acquired by escheat or otherwise, upon the death of the said William Walters" (Rec. No. 185), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 126

NOES 00

Those who voted in the affirmative were :

Agnew	Coon	Hammond	Ogden	Slocum
Allen F E	Cotton	Hanford	O'Neill	Smith A E
Allen J G	Coutant	Hapeman	Parker	Smith J E
Anderson	Cowan	Hastings	Patton	Smith J T
Apgar	Cox	Hooker	Pendry	Standart
Bass	Cunningham	Hooper	Perry	Stanley
Becker	Dale	Hornidge	Phillips	Steele
Bedell	Dodd	Hubbs	Plank	Sullivan
Beebe	Dowling	Hurd	Platt	Thompson G F
Beihilf	Ellis	Kavanaugh	Pratt	Thompson J A
Bird	Etsel	Knapp	Prentice	Thonet
Bisland	Evans	La Rue	Prince	Tompkins
Brady	Everett	Leggett	Quinn	Waddell

Brooks	Fish	Lewis	Reilly	Wagner
Burns	Fitzsimons	Maier	Rigby	Wadsworth
Burnett	Foelker	Mathews T F	Rogers	Wedemeyer
Burzynski	Foster	Matthews C R	Rosenstein	West
Byrne	Francisco	McKeown	Sammon	Whitney F G
Cadin	Freidel	McManus	Santee	Whitney G H
Cahn	Gardner	Mead	Schoeneck	Wilsnack
Callahan	Gates	Miller	Scovill	Wilson
Carrier	Grady	Monroe	Sheehy	Wood F C
Caughlan	Grattan	Moreland	Sheldon	Wood F X
Charles E E	Gray	Murphy	Sherry	Yale
Charles W B	Gurnett	Newton	Shuttleworth	Young
Cooke				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 886) entitled "An act to release to Philip Schwendeman, Andrew Schwendeman, Caroline Schwendeman, Christina Susanna Schwendeman, August Schwendeman, Louis Schwendeman, Philip Schwebius, and Annie Schwebius, heirs-at-law of Andreas Schwendeman, deceased, all the right, title and interest of the people of the State of New York in and to certain real estate situate in the city, county and State of New York, known as No. 609 East Fourteenth street, borough of Manhattan, in said city, of which Frederick Pauss died seized, acquired by escheat or otherwise, upon the death of Frederick Pauss" (Rec. No. 211), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 140

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Pendry	Smith R H
Allen F E	Cox	Hooper	Perry	Standart
Allen J G	Cunningham	Hubbs	Phillips	Stanley
Anderson	Dale	Hurd	Plank	Steele
Apgar	Dodd	Kavanaugh	Platt	Stevens
Bass	Donovan	Knapp	Pratt	Tenjust
Becker	Dowling	La Fetra	Prentice	Thompson G F

Bedell	Ellis	La Rue	Prince	Thompson J A
Beebe	Etzel	Lewis	Quinn	Thonet
Beihlf	Evans	Machacek	Reeve	Tompkins
Bird	Everett	Maier	Reilly	Waddell
Bisland	Fish	Malloy	Rigby	Wade
Brady	Fitzsimons	Mathews T F	Rogers	Wagner
Brooks	Foelker	Matthews C R	Rosenstein	Wadsworth
Burnett	Foster	McKeown	Salomon	Wainwright
Burns	Francisco	McManus	Sammon	Wedemeyer
Burzynski	Freidel	Mead	Santee	West
Byrne	Gardner	Miller	Schoeneck	Wemple
Cadin	Gates	Monroe	Scovill	Whitney F G
Cahn	Grady	Moreland	Shanahan	Whitney G H
Callahan	Grattan	Murphy	Sheehy	Wiegand
Carrier	Gray	Newton	Sheldon	Wilsnack
Caughlan	Gurnett	Nugent	Sherry	Wilson
Charles E E	Hackett	Ogden	Slocum	Wolf
Charles W B	Hammond	O'Neill	Smith A P	Wood F C
Cooke	Hanford	Palmer	Smith A E	Wood F X
Coon	Hapeman	Parker	Smith J E	Yale
Coutant	Hastings	Patton	Smith J T	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. O'Neill called up the Assembly bill (No. 1622) entitled "An act to locate and designate a site for a public library in the borough of Brooklyn upon lands owned by the city of New York" (Int. No. 935), heretofore laid aside on the order of third reading.

On motion of Mr. O'Neill, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

A message was received from the Senate, in the words following:

IN SENATE, *March 23, 1905.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 254, reprint No. 889) entitled "An act to amend chapter 173 of the Laws of 1895, entitled 'An act fixing the fiscal year, providing for a county auditor, and regulating the purchase of supplies for the county institutions and officers of the county of Erie, relative to the office of the county auditor.'" (Rec. No. 49.)

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Fechter, and by unanimous consent, the same was amended as follows:

Page 3, line 2, strike out the words "all appointments heretofore made by the county auditor are hereby legalized and confirmed."

Said bill as amended was reprinted, re-engrossed, and, having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Shuttleworth moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Patton	Standart
Allen F E	Cunningham	Hornidge	Pendry	Stanley
Allen J G	Dale	Hubbs	Perry	Steele
Anderson	Dodd	Hurd	Phillips	Stevens
Apgar	Donovan	Kavanaugh	Plank	Sullivan
Bass	Dowling	Knapp	Platt	Tenjost
Becker	Ellis	La Fetra	Pratt	Thompson G F
Bedell	Etsel	Leggett	Prentice	Thompson J A
Beebe	Evans	Lewis	Prince	Thonet
Beihilf	Everett	Machacek	Quinn	Tompkins
Bird	Fish	Malloy	Reeve	Waddell
Bisland	Fitzsimons	Mathews T F	Reilly	Wade
Brady	Foelker	Matthews C R	Rogers	Wagner
Brooks	Francisco	McKeown	Rosenstein	Wadsworth
Burnett	Freidel	McManus	Salomon	Wainwright
Burzynski	Fuller	Mead	Santee	Wedemeyer
Byrne	Gardner	Merritt	Schoeneck	West
Cadin	Gates	Miller	Scovill	Whitney F G
Callahan	Grady	Monroe	Shanahan	Whitney G H
Carrier	Grattan	Moreland	Sheldon	Wiegand
Caughlan	Gray	Murphy	Sherry	Wilsnack
Charles E E	Gurnett	Newton	Shuttleworth	Wilson
Charles W B	Hackett	Nugent	Slocum	Wolf
Cooke	Hammond	Ogden	Smith A P	Wood F C
Coon	Hanford	O'Neill	Smith A E	Wood F X
Cotton	Hapeman	Palmer	Smith J E	Yale
Coutant	Hartman	Parker	Smith J T	Young
Cowan	Hastings			

Said bill as amended was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 142

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hubbs	Pendry	Smith J T
Allen F E	Dodd	Hurd	Perry	Smith R H
Allen J G	Dowling	Kavanaugh	Phillips	Standart
Anderson	Ellis	Kuapp	Plank	Stanley
Apgar	Etzel	La Fetra	Platt	Steele
Bass	Evans	La Rue	Pratt	Stevens
Becker	Everett	Leggett	Prentice	Sullivan
Bedell	Fish	Lewis	Prince	Tenjost
Beebe	Fitzsimons	Machacek	Quinn	Thompson G F
Beihlf	Foelker	Maier	Reeve	Thompson J A
Bisland	Foster	Malloy	Reilly	Thonet
Brady	Francisco	Mathews T F	Rigby	Waddell
Brooks	Freidel	Matthews C R	Rogers	Wade
Burnett	Fuller	McKeown	Rosenstein	Wagner
Burns	Gardner	McManus	Salomon	Wadsworth
Burzynski	Gates	Mead	Sammon	Wainwright
Byrne	Grady	Merritt	Santee	West
Cahn	Grattan	Miller	Schoeneck	Wemple
Callahan	Gray	Monroe	Scovill	Whitney F G
Carrier	Gurnett	Moreland	Shanahan	Whitney G H
Caughlan	Hackett	Murphy	Sheehy	Wiegand
Charles E E	Hammond	Newton	Sheldon	Wilsnack
Cooke	Hanford	Nugent	Sherry	Wilson
Coon	Hapeman	Ogden	Shuttleworth	Wolf
Cotton	Hartman	O'Neill	Slocum	Wood F C
Coutant	Hastings	Palmer	Smith A P	Wood F X
Cowan	Hooker	Parker	Smith A E	Yale
Cox	Hooper	Patton	Smith J E	Young
Cunningham	Hornidge			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and as amended have again passed the same.

Mr. Moreland offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur). That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 721, entitled "An act to amend the Revised

Statutes relative to the parole of prisoners" (Int. No. 641), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 760, entitled "An act to legalize the acts of Frank Phinney, of Sempronius, Cayuga county, N. Y., performed as notary public in April, 1890" (Rec. No. 138), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 721, entitled "An act to amend the Revised Statutes relative to the parole of prisoners" (Int. No. 641), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the Senate bill (No. 187, Assembly reprint No. 1860) entitled "An act to amend chapter 394 of the Laws of 1904, entitled 'An act to create and establish the office of commissioner of elections in the county of Erie and prescribing his duties,' relating to the duties of the commissioner" (Rec. No. 58), with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill (No. 631, Senate reprint No. 932) entitled "An act authorizing the treasurer of the city of Utica to appoint a bookkeeper." (Int. No. 229.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

A communication was received from Hon. Frederick F. Eisenminger, mayor of the city of Schenectady, returning Assembly bill No. 943, entitled "An act to authorize the city of Schenectady to borrow money and issue the bonds of said city therefor, for the purpose of purchasing the buildings and premises now used, occupied and owned by the Hospital Association of said city and for the repairing and renovation of said buildings and premises" (Int. No. 814), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James H. Waring, mayor of the city of Olean, returning Assembly bill No. 1161, entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' generally" (Int. No. 963), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. O'Neill gave notice that on Tuesday, April 11, he would call up the Assembly bill (No. 1751) entitled "An act to amend the Code of Criminal Procedure, relating to the powers and duties of probation officers" (Int. No. 676), the same having been laid aside on the order of third reading.

On motion of Mr. Rogers, the House adjourned.

TUESDAY, APRIL 11, 1905.

The House met pursuant to adjournment.

Prayer by Rev. William P. Bruce, Yonkers.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker presented the annual report of the Adirondack

Committee, Assembly of 1904, which was laid upon the table and ordered printed.

(See Document.)

Mr. Speaker presented resolutions of the Taxpayers' Alliance in relation to Assembly bill No. 1180 (Int. No. 982), which was referred to the committee on the judiciary.

The Senate sent for concurrence the following entitled bills:

"An act to regulate the use of streets, avenues and public places in the city of New York, in the borough of Manhattan, by steam railroads operated at grade" (No. 1134, Rec. No. 283), which was read the first time.

On motion of Mr. Stanley, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Stanley, and by unanimous consent, said bill was substituted for Assembly bill No. 1950, Int. No. 541, same title and subject, now on the order of third reading.

On motion of Mr. Stanley, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

"Concurrent resolution of the Senate and Assembly proposing an amendment to section 2 of article 6 of the Constitution in relation to justices of the Appellate Division of the Supreme Court" (No. 292, Rec. No. 284), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Banking Law, in relation to expenses of building and mutual loan corporations" (No. 1118, Rec. No. 285), which was read the first time and referred to the committee on banks.

"An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof" (No. 1157, Rec. No. 286), which was read the first time and referred to the committee on affairs of cities.

Mr. Apgar introduced a bill entitled "An act to amend chapter 117 of the Laws of 1883, entitled 'An act to amend, consolidate and revise the charter of the village of Peekskill and the several

acts amendatory thereof,' relative to the construction of subways or conduits " (Int. No. 1459), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Grady introduced a bill entitled "An act to amend the Greater New York charter, by adding and computing with the statutory service the time required for probationary service as to conduct and efficiency of police probationers " (Int. No. 1460), which was read the first time and referred to the committee on affairs of cities.

Mr. La Fetra introduced a bill entitled "An act to amend section 10 of the Greater New York charter, in relation to the powers of the board of estimate and apportionment " (Int. No. 1461), which was read the first time and referred to the committee on affairs of cities.

Mr. Stanley introduced a bill entitled "An act to amend section 1355 of the Greater New York charter, relative to justices of the municipal court of the city of New York " (Int. No. 1462), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend section 74 of the Greater New York charter, with respect to the powers of the board of aldermen and the board of estimate and apportionment " (Int. No. 1463), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend section 13 of chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York ' " (Int. No. 1464), which was read the first time and referred to the committee on affairs of cities.

Mr. Young introduced a bill entitled "An act to amend the Liquor Tax Law in relation to cancellation proceedings " (Int. No. 1465), which was read the first time and referred to the committee on excise.

Mr. Phillips introduced a bill entitled "An act to amend sections 2616, 2660 and 2663 of the Code of Civil Procedure, relating

to citations in surrogates' courts and to grants of letters of administration " (Int. No. 1466), which was read the first time and referred to the committee on codes.

Mr. Fish introduced a bill entitled "An act to amend the Insanity Law, relative to visits of certain institutions by commission and medical inspector " (Int. No. 1467), which was read the first time and referred to the committee on the judiciary.

Mr. Rogers introduced a bill entitled "An act appointing a committee to examine into the operations of the probation system and to report to the Legislature through the Governor " (Int. No. 1468), which was read the first time and referred to the committee on ways and means.

Mr. Foster introduced a bill entitled "An act to amend the Membership Corporations Law, relative to soldiers' monument corporations " (Int. No. 1469), which was read the first time and referred to the committee on the judiciary.

Mr. Stevens introduced a bill entitled "An act to establish in the city of Troy, an inferior court of criminal jurisdiction, to be known as the children's court, to provide for the appointment of a justice thereof, and to regulate and prescribe the jurisdiction thereof " (Int. No. 1470), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. McManus introduced a bill entitled "An act to amend the Greater New York charter so that the mayor may be relieved of the labor of signing large numbers of certificates of corporate stock and of bonds of the city of New York " (Int. No. 1471), which was read the first time.

On motion of Mr. McManus, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Tompkins introduced a bill entitled "An act to amend section 315 of the Greater New York charter, with respect to the duties of the police department and force " (Int. No. 1472),

which was read the first time and referred to the committee on affairs of cities.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McKeown, Int. No. 1432, entitled "An act to amend the Greater New York charter, relative to the supply of patented articles" (No. 1992), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grady, Rec. No. 244, entitled "An act to amend the Greater New York charter, relative to powers of the board of estimate and apportionment" (No. 334), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Kehoe, Rec. No. 270, entitled "An act to provide that the fire commissioner of the city of New York, in his discretion, may réappoint in the department Robert J. Sweeney, who resigned from the department November 4, 1902" (No. 585), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Elsberg, Rec. No. 281, entitled "An act to amend sections 43, 44, 47 and 242 of the Greater New York charter, with reference to the respective powers and duties of the board of estimate and apportionment and the board of aldermen" (No. 1074), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Elsberg, Rec. No. 282, entitled "An act to further amend chapter 4 of the Laws of

1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants' " (No. 801), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Elsborg, Rec. No. 280, entitled "An act to amend sections 17, 28, 41, 43, 44, 45, 47, 48, 50, 72, 73, 74, 75 and 242 of the Greater New York charter, with respect to the powers of the board of aldermen and the board of estimate and apportionment " (No. 1048), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Cooper, Rec. No. 278, entitled "An act to amend section 1092 of the Greater New York charter, in relation to the public school teachers' retirement fund " (No. 1114), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Armstrong, Rec. No. 249, entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," and to consolidate therewith the several acts in relation to the charter of said city' " (No. 1059), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grady, Rec. No. 230, entitled "An act to amend chapter 531 of the Laws of 1884, entitled 'An act in relation to the office of register of the city and county of New York,' relative to fees for official services "

(No. 1011), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grady, Rec. No. 231, entitled "An act to amend the Greater New York charter, relative to pensions to members of the police force and their widows and orphans" (No. 983), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Grady, Rec. No. 218, entitled "An act to authorize the grant by the city of New York to the Spuyten Duyvil and Port Morris Railroad Company and to the New York Central and Hudson River Railroad Company, or either of them, of lands and lands under water lying between the southerly boundary line of the land of the Spuyten Duyvil and Port Morris Railroad Company at East One Hundred and Forty-ninth street and the northerly boundary line of the city of New York, for railroad purposes" (No. 982), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter, Rec. No. 224, entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' so as to relieve the annual tax levy from the burden of collecting delinquent taxes, reimburse the city for advances against assessments; and to regulate and legalize tax notices" (No. 977), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Barnes, Rec. No. 222, entitled "An act to establish a firemen's pension fund in

the city of Troy, and providing for the payment of pensions therefrom" (No. 976), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Carpenter, Rec. No. 253, entitled "An act to amend chapter 386 of the Laws of 1888, as amended by chapter 473 of the Laws of 1900, entitled 'An act to authorize the city of Yonkers to issue bonds for the purpose of raising money to construct bridges over water courses in said city'" (No. 866), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Keenan, Rec. No. 232, entitled "An act concerning the settlement, adjustment and collection of arrears of unpaid taxes, assessments and water rates and sales for the same levied prior to January 1, 1898, in that part of the county of Queens now constituting the borough of Queens, city of New York, and for the settlement and adjustment of certain assessments for local improvements levied prior to January 1, 1898, in that part of the said borough of Queens, formerly included within the limits of Long Island City, and to authorize the compromise and settlement with property owners interested of said unpaid taxes, assessments, water rates and sales for the same and providing for the imposition and levying of a tax, assessment and lien in lieu and instead of said unpaid taxes and assessments, water rates and assessments for local improvements and to enforce the payment thereof" (No. 699), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cotton, from the committee on military affairs, to which was referred the Senate bill introduced by Mr. Gates, Rec. No. 264, entitled "An act to amend the Military Code relative to relief from civil or criminal liability, security for and award

of costs " (No. 915), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hammond, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to amend the Stock Corporations Law in relation to the power to borrow money and mortgage property." (No. 1746, Int. No. 1317.)

"An act to amend chapter 168 of the Laws of 1894, entitled 'An act in relation to the State dams on the Beaver and Moose rivers,' in relation to the commissioners appointed thereby." (No. 1820, Int. No. 1353.)

"An act to provide for the expense of widening Livingston street in the borough of Brooklyn, in the city of New York." (No. 1866, Int. No. 1368.)

"An act to amend the County Law relating to county jails." (No. 864, Int. No. 749.)

"An act to prohibit the construction of any railroad on Livingston street in the borough of Brooklyn in the city of New York." (No. 1864, Int. No. 1366.)

"An act to amend the State Charities Law, in relation to autopsies at Craig Colony for Epileptics." (No. 1946, Int. No. 458.)

"An act to provide for the representation of the State of New York at the Lewis and Clark Centennial Exposition, at Portland, Oregon, and reappropriating money heretofore appropriated for such purpose." (No. 894, Int. No. 783.)

"An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville,' relating to city elections and city officers." (No. 1890, Int. No. 1378.)

"An act to authorize the Supreme Court to hear and determine any application made to revise and correct the first separate report of the commissioners of appraisal appointed in proceedings instituted by the city of New York to acquire title to lands

for St. Nicholas park and to grant in respect thereto such relief as may be just and equitable.” (No. 1177, Int. No. 979.)

“An act to amend chapter 823 of the Laws of 1895, entitled ‘An act to regulate barbering on Sunday,’ in relation to the borough of Richmond.” (No. 1744, Int. No. 1315.)

“An act to authorize the board of trustees of the village of Salamanca, Cattaraugus county, to appoint a board of water commissioners.” (No. 1784, Int. No. 1334.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William Hill against the State of New York, for salary due him for services rendered to the State of New York while employed as purchasing steward’s clerk in the office of Mr. F. A. Wheeler, purchasing steward for the Long Island and Manhattan State Hospital, under civil service appointment.” (No. 1862, Int. No. 1364.)

“An act relating to the acquisition of property by the city of New York for a water supply, and providing for prompt payment therefor, and for damages occasioned by the acquisition thereof; providing for use and care of reservoirs owned by said city; and providing for the construction and maintenance of highways and bridges.” (No. 1972, Int. No. 1318.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Syracuse against the State for unpaid assessments for local improvements charged by said city against the State on account of lands owned by it within said city and for the amount alleged to be due thereon and to render judgment therefor.” (No. 1533, Int. No. 1199.)

“An act authorizing the towns of Louisville, Madrid and Waddington, in the county of St. Lawrence, to issue bonds for the payment of the cost of the construction of a bridge over De Grasse river, and of the costs of legal proceedings in respect to such bridge, and for certain other purposes.” (No. 1897, Int. No. 1385.)

“An act to locate and designate a site for a public library in

the borough of Brooklyn upon lands owned by the city of New York." (No. 1913, Int. No. 935.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Brown against the State of New York, for damages to the canal boat Maggie Mills at the city of Utica, on or about the 25th day of June, 1903." (No. 1347, Int. No. 1096.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1923) entitled "An act to establish a law library in the Fifth Judicial District to be known as the Robinson Memorial Library" (Int. No. 1235), reported the same with the following recommendations:

Page 2, line 24, strike out the bracket and remainder of line.

Same page, strike out all of lines 25 and 26.

Page 3, strike out all of lines 1, 2, 3 and 4, also all of line 5 up to and including the bracket.

Same page, line 16, strike out the bracket and the word "and."

Same page, strike out all of lines 17, 18, 19 and 20, and all of line 21 up to and including the bracket.

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1813) entitled "An act to amend chapter 673 of the Laws of 1904, entitled 'An act to provide for the erection of a suitable monument to commemorate the services of the Fifth Regiment, New York State Volunteer Infantry (Duryee's Zouaves), who were engaged in the battle of Second Bull Run or Manassas Plains, Va., and making an appropriation therefor'" (Int. No. 1346), reported the same with the following recommendations:

At end of title strike out the period and insert a comma and the words "relative to the appointment of commissioners to procure a site and defining their powers and duties."

Page 2, line 8, after the word "run" insert a comma.

Same page, line 25, strike out the word "such" and insert the word "Said," and strike out all of line after the word "chapter."

Same page, line 26, strike out the words "of nineteen hundred and four," and after the word "is" insert the word "hereby."

Page 3, line 5, after the word "however" insert a comma.

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1966) entitled "An act to amend the Banking Law, prohibiting use of the word "savings," except by savings banks and building and loan associations" (Int. No. 597), reported the same with the following recommendations:

Page 2, line 7, underscore the words "organized under."

Same page, line 8, underscore the words "the laws of the state of New York;" before the word "It" insert in brackets the letter "i," and underscore capital "I" in the word "It."

Same page, line 9, underscore the word "however."

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1830) entitled "An act to amend section 2510 of the Code of Civil Procedure in relation to the examination of the witnesses to wills" (Int. No. 1363), reported the same with the following recommendations:

Amend the title to read as follows:

"An act to amend the code of civil procedure, in relation to the examination of the witnesses to wills."

Page 1, line 2, after the word "procedure" insert a comma, and strike out the words "so as."

Same page, line 3, before the first word "The" insert sign and figures "§ 2510."

Same page, line 6, after the word "county" strike out the comma.

Page 2, line 4, after the word "purpose" strike out the comma.

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1914) entitled "An act to amend the Labor Law relative to the issuance of employment certificates for employees in factories and mercantile establishments" (Int. No. 977), reported the same with the following recommendations:

Insert a comma after the word "law" in second line of title.

Page 1, line 3, strike out the quotation marks after the word "labor" and insert a comma.

Same page, line 4, after the word "laws" insert quotation marks and a comma.

Same page, line 5, after the word "three" insert a comma.

Same page, line 6, strike out the words "so as."

Page 2, line 3, after the word "designated" insert a comma.

Same page, line 11, after the word "record" insert a comma.

Page 4, line 12, after the word "such" insert the word "physical."

Same page, line 17, after the word "of" insert the word "said" after the word "chapter;" also, insert a comma and strike out the last word "four."

Same page, strike out lines 18 and 19.

Same page, line 20, strike out the words "thirty-two of the general laws."

Same page, line 21, after the word "three" insert a comma.

Same page, line 22, strike out the words "so as."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1709) entitled "An act to release to Francis Neher all the right, title and interest of the people of

the State of New York in and to certain real estate situated in the Twenty second ward of the city and county and State of New York, acquired by escheat or otherwise" (Int. No. 1302), reported the same with the following recommendations:

Strike out the period at end of title and insert a comma and the words "upon the death of Elizabeth Mattson."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1743) entitled "An act to release to Walter Miller and Mary J. Miller, his wife, all the right, title and interest of the people of the State of New York in and to certain real estate" (Int. No. 1313), reported the same with the following recommendations:

Strike out the period at end of title and insert a comma and the words "situate in the city of Rochester, known and described as lots numbers three and four on a map and allotment of the Hart Place tract made by F. J. M. Cornell."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1655) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester'" (Int. No. 1275), reported the same with the following recommendations:

Page 1, line 4, after the word "eighty" insert the words "of the."

Same page, line 6, insert a comma after the word "two."

Page 3, line 13, strike out the word "such" and insert the word "said," and insert a comma after the word "chapter."

Same page, line 16, insert a comma after the word "fires."

Same page, line 26, after the word "department" insert the words in brackets "The members of the several fire, hook, hose,

ladder, axe and bucket companies, when organized under this section, shall have the power to elect a chief engineer, and one or more assistant engineers, and each company to elect a foreman and one assistant foreman, and a secretary and treasurer for each of their respective companies, and to select members to fill any vacancy which may occur in their ranks, providing that no engine or other company shall exceed the number of members allowed by the trustees, who shall have power to regulate the members for each company, not to exceed sixty members to any one company. They may adopt by-laws for the government of their respective companies, and may impose fines and forfeiture for the violation of the same; they may expel any member from their ranks for improper conduct or neglect of duty, but no expulsion shall be made unless a majority of all the members of the company concur in the same; during the time such companies shall remain duly organized, they shall have the custody of the engine and other apparatus pertaining to the fire department, subject, nevertheless, to the paramount possession, authority and control of the president and trustees of the village."

Page 4, line 20, strike out the word "such" and insert the word "said."

Page 5, line 2, insert a comma after the word "made."

Same page, line 22, after the word "the" insert the words "amount of."

Page 6, line 2, insert a comma after the word "assessment."

Same page, line 13, insert a comma after the word "serving."

Page 7, line 10, insert a comma after the word "trustees."

Page 9, line 1, strike out the word "such" and insert the word "said."

Same page, line 9, insert a comma after the word "mistake."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1781) entitled "An act to amend the Highway Law in relation to private roads, and to repeal certain parts thereof" (Int. No. 1330), reported the same with the following recommendations:

Insert a comma in second line of title after the word "law."

Page 1, line 2, strike out the words "one hundred" at end of line.

Same page, strike out all of lines 3 and 4 except the last word "of" in line 4.

Same page, line 5, after the word "sixty-eight" insert the words "of the," and after the word "laws" insert the word "of."

Same page, line 7, strike out the comma after the word "nineteen" and insert the words "of the;" after the word "laws" insert quotation marks and a comma, and strike out the words "so as."

Page 2, line 25, insert a comma after the word "holidays."

Page 3, line 1, insert a comma after the word "thereof."

Same page, line 2, insert a comma after the word "absence."

Same page, line 4, insert a comma after the word "envelope."

Same page, line 6, strike out the semicolon after the word "thereon" and insert a comma.

Same page, between lines 7 and 8, insert the following:

"§ 2. Section one hundred and ten of said chapter, as amended by chapter one hundred and nine of the laws of nineteen hundred and four, is hereby amended to read as follows."

Same page, line 9, insert a comma after the word "notice."

Same page, line 11, strike out the comma after the word "revise."

Page 4, between lines 2 and 3, insert the following:

"§ 3. Section one hundred and fourteen of said chapter is hereby amended to read as follows."

Same page, line 4, insert a comma after the word "parties."

Same page, line 6, insert a comma after the word "necessary."

Same page, line 7, insert a comma after the word "pass."

Same page, between lines 8 and 9, insert the following:

"§ 4. Section one hundred and sixteen of said chapter is hereby amended to read as follows."

Same page, line 10, insert a comma after the word "application."

Same page, between lines 16 and 17, insert the following:

"§ 5. Section one hundred and eighteen of said chapter is hereby amended to read as follows."

Same page, line 19, after the first bracket insert the word "and."

Same page, line 21, insert a comma after the word "compensation."

Same page, between lines 21 and 22, insert the following:

" § 6. Section one hundred and nineteen of said chapter, is hereby amended to read as follows."

Same page, line 25, after the word "situated" insert a comma.

Page 5, line 4, insert a comma after the word "jury."

Same page, line 9, insert a comma after the word "according."

Same page, line 11, insert a comma after the word "had."

Same page, line 12, insert a comma after the word "applicant."

Same page, between lines 14 and 15, insert the following:

" § 7. Section one hundred and twenty-three of said chapter, is hereby amended to read as follows:"

Same page, line 16, strike out the word "altering."

Same page, line 17, after the word "out" insert a comma and the word "altering."

Same page, line 18, after the word "road" insert a comma.

Same page, line 22, strike out the figure "2" and insert the figure "8."

Same page, line 24, strike out the figure "3" and insert the figure "9."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1742) entitled "An act to amend chapter 46 of the general laws known as the Real Property Law" (Int. No. 1312), reported the same with the following recommendations:

Amend the title to read as follows:

"An act to amend the real property law, relative to conveyances."

Page 1, line 1, after the word "chapter" insert the words "five hundred and forty-seven of the laws of eighteen hundred and ninety-six, entitled 'An act relating to real property, constituting chapter forty-six of the general laws;'" after the word "chapter" strike out the word "forty."

Same page, strike out all of line 2.

Same page, line 3, strike out the words "real property law."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1841) entitled "An act to amend the Banking Law, relative to loans upon the second or divided mortgage plan" (Int. No. 479), reported the same with the following recommendations:

Page 1, line 3, after the word "corporations" insert quotation marks.

Same page, strike out all of line 4 except the last word "as."

Page 2, line 1, strike out the underscoring under the words "§ 179. Security for loans."

Same page, line 26, before the word "or" insert a parenthesis, and after the word "thereof" insert a parenthesis.

Page 3, line 1, insert a parenthesis before the word "but" and after the word "provide."

Page 5, line 10, underscore parenthesis before the word "except."

Same page, line 13, underscore parenthesis after the word "withdrawals."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

"An act to amend chapter 194 of the Laws of 1897, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than 150,000 and less than 190,000, and regulating and prescribing his duties,' generally." (No. 1922, Int. No. 1414.)

"An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown,' relative to revising several sections of said charter." (No. 1961, Int. No. 1301.)

"An act to prohibit the docking of horses' tails, and to require

a registry of all docked horses now in this State.” (No. 845. Int. No. 747.)

“An act to amend the Code of Civil Procedure, in relation to the sale, mortgaging or leasing of the contingent interest of infants not in being in real property.” (No. 1954, Int. No. 1184.)

“An act to amend the Banking Law relative to trust companies.” (No. 1959, Rec. No. 113.)

“An act to amend the Stock Corporations Law, in relation to the sale of franchises and property of corporations in towns, villages and cities of the third class.” (No. 1964, Int. No. 1157.)

“An act to amend the Code of Civil Procedure, with respect to the city court of the city of New York and providing for an additional stenographer for the special term of said court.” (No. 1956, Int. No. 1144.)

“An act to amend the Highway Law, relating to the cutting and removing of weeds and brush and providing for the same when the highway is the boundary line between two or more towns.” (No. 1965, Int. No. 849.)

“An act to amend the Agricultural Law, in relation to the prevention of disease in fruit trees, and the pests that infest the same.” (No. 1957, Int. No. 1163.)

“An act to amend the Stock Corporations Law, in relation to annual reports of corporations.” (No. 1955, Int. No. 280.)

“An act to amend the Forest, Fish and Game Law, relative to appointing additional protectors.” (No. 1760, Int. No. 737.)

“An act to amend the Consolidated School Law, relative to the closing of schools during teachers’ institutes.” (No. 1958, Int. No. 1270.)

“An act to amend chapter 109 of the Laws of 1894, in relation to the salary and compensation of the judge and surrogate of Niagara county.” (No. 1963, Int. No. 1223.)

“An act to amend the Forest, Fish and Game Law, relative to special game protector.” (No. 1962, Int. No. 778.)

“An act to repeal section 6 of title 10 of chapter 416 of the Laws of 1893, entitled ‘An act in relation to the city court of Yonkers.’” (No. 1772, Int. No. 1321.)

"An act to legalize the acts of B. F. Cahill, a notary public." (No. 1592, Int. No. 1237.)

"An act appropriating certain lands in the city of Oswego to the use of the Oswego Hospital." (No. 1778, Int. No. 1327.)

The bill (No. 1568) entitled "An act to confer on the Court of Claims jurisdiction to hear, audit and determine the claims of the personal representatives of William J. Smith for damages resulting from the death of said William J. Smith by the negligence of the State of New York through its servants and employees" (Int. No. 224), having been announced for a third reading,

Mr. Brooks moved that said bill be recommitted to the committee on claims, with instructions to report the same forthwith amended as follows:

Page 2, line 2, after the word "York" add the words "on a mud scow used in dredging the Erie canal."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cox, from the committee on claims, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1838) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of William E. Carney, as executor of the last will and testament of Michael Carney, deceased, for damages against the State, alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1247), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 1

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	Perry	Smith J T
Allen F E	Cox	Hooker	Phillips	Smith R H
Allen J G	Cunningham	Hornidge	Plank	Stanley
Anderson	Dale	Hubbs	Platt	Steele
Apgar	Dodd	Hurd	Pratt	Stevens
Bass	Donovan	Knapp	Prentice	Sullivan
Becker	Dowling	La Fetra	Prince	Tenjost
Bedell	Ellis	La Rue	Quinn	Thompson G F
Beebe	Etzel	Leggett	Reeve	Thompson J A
Beihlf	Evans	Machacek	Reilly	Tompkins
Bird	Everett	Maier	Rigby	Waddell
Bisland	Fish	Mathews T F	Rogers	Wade
Brady	Fitzsimons	Mathews C R	Rosenstein	Wagner
Brooks	Foelker	McKeown	Salomon	Wadsworth
Burnett	Foster	McManus	Sammon	Wainwright
Burns	Francisco	Mead	Santee	Wedemeyer
Burzynski	Freidel	Merritt	Schoeneck	West
Byrne	Gardner	Miller	Scovill	Wemple
Cadin	Gates	Monroe	Shanahan	Whitney F G
Cahn	Grady	Moreland	Sheehy	Whitney G H
Callahan	Grattan	Murphy	Sheldon	Wilsnack
Carrier	Gray	Newton	Sherry	Wilson
Caughlan	Gurnett	Nugent	Shuttleworth	Wolf
Charles E E	Hackett	Ogden	Slocum	Wood F C
Charles W B	Hanford	O'Neill	Smith A P	Wood F X
Cooke	Hapeman	Patton	Smith A E	Yale
Coon	Hartman	Pendry	Smith J E	Young
Cotton				

In the negative:

Palmer

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 977) entitled "An act to create a new boundary line between the Sixth and Twelfth wards of the city of Troy" (Int. No. 835), having been announced for a third reading,

On motion of Mr. Stevens, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1898) entitled "An act to amend chapter 152 of the Laws of 1899, entitled 'An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, and regulation, preservation and shading of side-

paths,' in relation to the appointment of sidepath police" (Int. No. 1172), having been announced for a third reading,

Mr. G. F. Thompson moved that said bill be recommitted to the committee on general laws, with instructions to report the same forthwith amended as follows:

Page 2, line 9, after the word "police" insert the words "whose appointment shall expire at the end of the calendar year in which made."

Same page, line 13, after the word "act" insert the words "such appointment shall be filed by the secretary of the sidepath board in the office of the county clerk of the county."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Merritt, from the committee on general laws, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1904) entitled "An act to amend the Code of Civil Procedure, in relation to advancements" (Int. No. 657), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 2

Those who voted in the affirmative were:

Agnew	Cunningham	Hubbs	Perry	Standart
Allen F E	Dale	Hurd	Phillips	Stanley
Allen J G	Dodd	Knapp	Plank	Steele
Anderson	Donovan	La Fetra	Platt	Stevens
Apgar	Ellis	Leggett	Pratt	Sullivan
Bass	Etsel	Lewis	Prentice	Tenjust
Becker	Evans	Machacek	Prince	Thompson G F
Beebe	Everett	Maier	Quinn	Thonet
Beinliff	Fitzsimons	Malloy	Reeve	Tompkins
Bird	Foelker	Mathews T F	Reilly	Waddell
Brady	Foster	Matthews C R	Rogers	Wade
Brooks	Francisco	McKeown	Salomon	Wagner
Burnett	Freidel	McManus	Santee	Wadsworth

Burzynski	Fuller	Merritt	Schoeneck	Wainwright
Byrne	Gardner	Miller	Scovill	West
Cahn	Gates	Monroe	Shanahan	Wemple
Callahan	Grady	Murphy	Sheehy	Whitney G H
Carrier	Gray	Newton	Sherry	Wiegand
Caughlan	Gurnett	Nugent	Shuttleworth	Wilson
Charles W B	Hackett	Ogden	Slocum	Wolf
Cooke	Hammond	O'Neill	Smith A P	Wood F C
Coon	Hapeman	Parker	Smith A E	Wood F X
Cotton	Hartman	Patton	Smith J E	Yale
Coutant	Hastings	Pendry	Smith R H	Young
Cox	Hooper			

Those who voted in the negative were:

Fish

Palmer

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 818, Assembly reprint No. 1902) entitled "An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants" (Rec. No. 208), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

Mr. Moreland in the chair.

The bill (No. 1791) entitled "An act to encourage the formation of companies to supply Pasteurized or clarified milk and cream and pure dairy products and to exempt the same from the provisions of sections 1 and 2 of chapter 290 of the Laws of 1899 and section 7 of the Stock Corporations Law" (Int. No. 1022), having been announced for a third reading,

Mr. Fish moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Page 1, line 3, after the word "products" insert the words "may insert in the certificate of its incorporation a provision that it shall be subject to the provisions of this act and thereupon such corporation."

Page 2, line 2, after the words "products and" insert the words "shall not be subject to."

Same page, line 5, strike out the words "shall not apply to any such company."

Same page, line 6, strike out the words "organized and."

Same page, line 8, strike out the word "under" and insert the words "subject to the provisions of."

Same page, line 12, strike out the word "under" and insert the words "subject to the provisions of."

Same page, line 20, strike out the word "under" and insert the words "subject to the provisions of."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1839) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Daniel O'Grady against the State for damages alleged to have been sustained by him, and to enter judgment therefor" (Int. No. 1080), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Knapp	Platt	Smith R H
Allen F E	Cunningham	La Petra	Pratt	Standart
Allen J G	Dodd	La Rue	Prentice	Stanley
Anderson	Donovan	Lewis	Prince	Stevens
Apgar	Ellis	Machacek	Quinn	Sullivan
Bass	Etzel	Malloy	Reeve	Tenjost
Becker	Evans	Mathews T F	Reilly	Thompson J A
Bedell	Everett	Matthews C R	Rigby	Thonet
Beebe	Fitzsimons	McKeown	Rogers	Tompkins
Bird	Foelker	McManus	Rosenstein	Waddell
Bisland	Foster	Mead	Salomon	Wade
Brady	Freidel	Merritt	Sammon	Wagner
Brooks	Fuller	Miller	Santee	Wadsworth
Burns	Gates	Monroe	Schoeneck	Wainwright

Burzynski	Grady	Murphy	Scovill	Wedemeyer
Byrne	Gray	Newton	Shanahan	Wemple
Cahn	Gurnett	Nugent	Sheehy	Whitney F G
Callahan	Hammond	Ogden	Sheldon	Whitney G H
Carrier	Hanford	O'Neill	Sherry	Wiegand
Caughlan	Hartman	Parker	Shuttleworth	Wilsnack
Charles E E	Hooker	Patton	Slocum	Wolf
Charles W B	Hooper	Pendry	Smith A P	Wood F C
Cooke	Hornidge	Perry	Smith A E	Wood F X
Cotton	Hubbs	Phillips	Smith J E	Yale
Coutant	Hurd	Plank	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1622) entitled "An act to locate and designate a site for a public library in the borough of Brooklyn upon lands owned by the city of New York" (Int. No. 935), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hartman	Parker	Smith R H
Allen F E	Cox	Hastings	Pendry	Standart
Allen J G	Cunningham	Hooper	Perry	Stanley
Anderson	Dale	Hornidge	Plank	Steele
Apgar	Dodd	Hurd	Platt	Sullivan
Bass	Donovan	Kavanaugh	Pratt	Tenjust
Becker	Dowling	Knapp	Prentice	Thompson G F
Bedell	Ellis	La Rue	Prince	Thompson J A
Beebe	Etzel	Lewis	Reeve	Thonet
Beihlf	Everett	Machacel	Reilly	Tompkins
Bird	Fish	Maier	Rigby	Wade
Brady	Fitzsimons	Malloy	Rogers	Wagner
Brooks	Foelker	Mathews T F	Salomon	Wadsworth
Burnett	Foster	Matthews C R	Sammon	Wedemeyer
Burns	Francisco	McKeown	Santee	West
Burzynski	Freidel	McManus	Schoeneck	Wemple
Byrne	Fuller	Mead	Scovill	Whitney G H
Cadin	Gardner	Merritt	Shanahan	Wiegand
Callahan	Grady	Monroe	Sheldon	Wilsnack
Carrier	Grattan	Moreland	Sherry	Wilson
Caughlan	Gray	Newton	Shuttleworth	Wolf
Charles W B	Hackett	Nugent	Smith A P	Wood F X
Cooke	Hammond	O'Neill	Smith A E	Yale
Coon	Hanford	Palmer	Smith J E	Young
Cotton	Hapeman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1881) entitled "An act to establish a State Water Commission, to define its powers and duties, and making an appropriation therefor" (Int. No. 976), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hurd	Phillips	Smith R H
Allen F E	Donovan	Kavanaugh	Plank	Standart
Anderson	Dowling	Knapp	Pratt	Steele
Apgar	Etzel	La Fetra	Prentice	Stevens
Bass	Evans	Leggett	Prince	Tenjost
Becker	Fish	Machacek	Quinn	Thompson G F
Bedell	Fitzsimons	Maier	Reeve	Thompson J A
Beebe	Foelker	Malloy	Reilly	Thonet
Beihlf	Foster	Mathews T F	Rigby	Waddell
Bird	Francisco	Matthews C R	Rogers	Wade
Brady	Freidel	McKeown	Rosenstein	Wagner
Brooks	Fuller	McManus	Salomon	Wadsworth
Burnett	Gates	Mead	Sanmon	Wainwright
Burns	Grady	Merritt	Santee	Wedemeyer
Burzynski	Grattan	Miller	Schoeneck	West
Byrne	Gray	Monroe	Scovill	Wemple
Cadin	Gurnett	Murphy	Sheehy	Whitney F G
Cahn	Hackett	Newton	Sheldon	Whitney G H
Carrier	Hanford	Nugent	Sherry	Wilsnack
Caughlan	Hapeman	Ogden	Shuttleworth	Wilson
Charles E E	Hartman	O'Neill	Slocum	Wolf
Charles W B	Hastings	Palmer	Smith A P	Wood F C
Coon	Hooker	Parker	Smith A E	Wood F X
Cotton	Hooper	Patton	Smith J E	Yale
Cowan	Hornidge	Pendry	Smith J T	Young
Cunningham	Hubbs	Perry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1798) entitled "An act to provide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interest therein, and

for the construction of the necessary reservoirs, dams, aqueducts, filters, and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects" (Int. No. 26), having been announced for a third reading,

Mr. Coutant moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 19, line 16, after the word "owner" strike out the word "or." and after the word "person" insert the words "or corporation."

Same page, line 17, after the word "taken" insert the words "injuriously affected."

Same page, strike out line 18, beginning with the word "and."

Same page, strike out lines 19, 20, 21, 22, 23, 24, 25, and all of line 26 excepting the word "exhibit."

Same page, line 26, before the word "exhibit" insert the word "may."

Page 20, strike out lines 6, 7, 8, 9, 10, 11, 12, 13 and 14.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Cunningham moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 5, line 22, after the word "reservoir" insert the words "and provided further that no reservoir, or other structure whatsoever, for the storage or impounding of water, shall at any time be constructed within the drainage area of the Rondout creek in the county of Ulster."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Prentice moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

At the end of section 1 add the words "No member of said

board shall be removed except for incompetency or misconduct shown after a hearing upon due notice, upon stated charges."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Agnew moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Strike out section 46 and insert in place thereof the following:

"§ 46. The city of New York shall have no power to acquire, take or condemn lands under this act until maps and plans covering the entire work contemplated by this act shall have been submitted to and approved by the state water supply commission."

Add a new section as follows:

"§ 47. This act shall take effect immediately."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

ALBANY, *April* 11, 1905.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill, Int. No. 26 (No. 2080), entitled "An act to provide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interest therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a com-

mission with the powers and duties necessary and proper to attain these objects."

Given under my hand and the privy seal of the State at the Capitol in the city of Albany, this eleventh day of [L. s.] April in the year of our Lord one thousand nine hundred and five.

FRANK W. HIGGINS.

By the Governor:

FRANK E. PERLEY,

Secretary to the Governor.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 114

NOES 2

Those who voted in the affirmative were:

Agnew	Cotton	Hornidge	Pendry	Steele
Allen F E	Cowan	Hubbs	Perry	Stevens
Allen J G	Cox	Kavanaugh	Phillips	Tenjost
Apgar	Dale	Knapp	Plank	Thompson G F
Bass	Dodd	La Fetra	Platt	Thompson J A
Becker	Dowling	Leggett	Prentice	Thonet
Bedell	Ellis	Machacek	Prince	Tompkins
Beihilf	Etsel	Maier	Reeve	Waddell
Bird	Everett	Malloy	Reilly	Wagner
Bisland	Fish	Mathews T F	Rogers	Wadsworth
Brooks	Fitzsimons	Matthews C R	Rosenstein	Wainwright
Burnett	Foelker	McKeown	Salomon	West
Burns	Foster	McManus	Santee	Wemple
Burzynski	Freidel	Merritt	Schoeneck	Whitney F G
Byrne	Fuller	Miller	Scovill	Whitney G H
Cadin	Gardner	Moreland	Sheehy	Wiegand
Cahn	Grady	Murphy	Sheldon	Wilsnack
Carrier	Gurnett	Newton	Shuttleworth	Wilson
Caughlan	Hammond	Nugent	Smith A P	Wolf
Charles E E	Hanford	O'Neill	Smith J E	Wood F X
Charles W B	Hapeman	Palmer	Smith J T	Yale
Cooke	Hastings	Parker	Smith R H	Young
Coon	Hooper	Patton	Stanley	

Those who voted in the negative were:

Coutant Cunningham

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1728) entitled "An act to amend the General Municipal Law, in relation to the acquisition of water rights in Westchester and Putnam counties" (Int. No. 255), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hooker	Parker	Standart
Allen F E	Cowan	Hooper	Patton	Stanley
Allen J G	Cox	Hornidge	Pendry	Steele
Anderson	Cunningham	Hubbs	Perry	Sullivan
Bass	Dodd	Hurd	Phillips	Tenjest
Becker	Donovan	Kavanaugh	Plank	Thompson G F
Bedell	Dowling	La Fetra	Platt	Thompson J A
Beebe	Ellis	La Rue	Pratt	Thonet
Beihilf	Evans	Leggett	Prentice	Tompkins
Bird	Everett	Lewis	Quinn	Waddell
Bisland	Fish	Machacek	Reeve	Wagner
Brady	Fitzsimons	Maier	Reilly	Wadsworth
Brooks	Foster	Malloy	Rogers	Wainwright
Burnett	Francisco	Mathews T F	Rosenstein	West
Burns	Freidel	Matthews C R	Sammon	Wemple
Burzynski	Fuller	McKeown	Santee	Whitney F G
Byrne	Gardner	McManus	Scovill	Whitney G H
Cadin	Gates	Merritt	Shanahan	Wilsnack
Cahn	Grady	Miller	Sheehy	Wilson
Callahan	Gray	Monroe	Sherry	Wolf
Carrier	Gurnett	Murphy	Shuttleworth	Wood F C
Charles E E	Hammond	Newton	Smith A P	Wood F X
Charles W B	Hanford	Ogden	Smith A E	Yale
Cooke	Hapeman	O'Neill	Smith J T	Young
Coon	Hastings	Palmer		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1726) entitled "An act to amend the Greater New York charter, relative to the acquisition of lands and water-rights and the use of waters in Putnam county" (Int. No. 1021), was read the third time, having been printed and upon the desks

of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hartman	Palmer	Smith J E
Allen F E	Coutant	Hooker	Parker	Smith J T
Allen J G	Cowan	Hooper	Patton	Smith R H
Anderson	Cox	Hornidge	Pendry	Standart
Apgar	Dale	Hubbs	Perry	Stanley
Bass	Dodd	Hurd	Phillips	Stevens
Becker	Donovan	Kavanaugh	Plank	Sullivan
Bedell	Dowling	Knapp	Platt	Thompson G F
Beihilf	Ellis	La Fetra	Pratt	Thompson J A
Bird	Etzel	La Rue	Prentice	Thonet
Bisland	Evans	Leggett	Prince	Waddell
Brooks	Everett	Machacek	Quinn	Wade
Burnett	Fitzsimons	Maier	Reilly	Wadsworth
Burns	Foelker	Malloy	Rigby	Wainwright
Burzynski	Foster	Mathews T F	Rogers	Wedemeyer
Byrne	Francisco	Mathews C R	Salomon	Wemple
Cadin	Freidel	McKeown	Sammon	Whitney F G
Cahn	Gardner	McManus	Santee	Whitney G H
Callahan	Gates	Merritt	Schoeneck	Wilsnack
Carrier	Grattan	Miller	Shanahan	Wolf
Caughlan	Gray	Monroe	Sheehy	Wood F C
Charles E E	Gurnett	Murphy	Sheldon	Wood F X
Charles W B	Hammond	Newton	Shuttleworth	Yale
Cooke	Hanford	Nugent	Slocum	Young
Coon	Hapeman	Ogden	Smith A P	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1712) entitled "An act to prevent the emasculation of the National anthem, the Star Spangled Banner, in the text-books in use in the public schools of the State of New York" (Int. No. 1305), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 1

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Parker	Smith R H
Allen F E	Cunningham	Hubbs	Patton	Standart
Allen J G	Dale	Hurd	Pendry	Stanley
Apgar	Dodd	Kavanaugh	Perry	Stevens
Bass	Dowling	La Fetra	Phillips	Sullivan
Becker	Ellis	La Rue	Platt	Tenjost
Bedell	Etzel	Leggett	Pratt	Thompson G F
Beebe	Evans	Lewis	Prentice	Thompson J A
Beihilf	Everett	Machacek	Prince	Tompkins
Bird	Fitzsimons	Maier	Quinn	Waddell
Bisland	Foelker	Malloy	Reeve	Wade
Brady	Foster	Mathews T F	Reilly	Wagner
Burnett	Francisco	Mathews C R	Rigby	Wainwright
Burns	Freidel	McKeown	Rogers	Wedemeyer
Burzynski	Fuller	McManus	Rosenstein	West
Cadin	Gardner	Mead	Sammon	Wemple
Cahn	Grady	Merritt	Santee	Whitney F G
Callahan	Gray	Miller	Scovill	Wiegand
Carrier	Gurnett	Moreland	Shanahan	Wilsnack
Charles E E	Hammond	Murphy	Sheldon	Wilson
Cooke	Hanford	Newton	Sherry	Wood F C
Coon	Hapeman	Nugent	Shttleworth	Wood F X
Cotton	Hartman	Ogden	Smith A P	Yale
Coutant	Hooker	O'Neill	Smith J E	Young
Cowan	Hooper	Palmer	Smith J T	

In the negative:

Gates

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker in the chair.

Mr. Cahn moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Agnew	Dale	Hurd	Prentice	Steele
Allen J G	Donovan	Kavanaugh	Prince	Stevens
Bass	Dowling	La Rue	Quinn	Tenjost
Bedell	Ellis	Leggett	Reeve	Thompson G F
Beebe	Evans	Lewis	Reilly	Thompson J A
Beihilf	Everett	Malloy	Rigby	Thonet
Bird	Fitzsimons	Mathews T F	Rogers	Tompkins
Brady	Foelker	Mathews C R	Rosenstein	Wade

Brooks	Foster	McKeown	Salomon	Wagner
Burnett	Francisco	McManus	Sammon	Wadsworth
Burzynski	Freidel	Mead	Santee	Wainwright
Byrne	Fuller	Monroe	Scovill	Wedemeyer
Cadin	Gardner	Moreland	Sheldon	Wemple
Cahn	Gates	Murphy	Sherry	Whitney F G
Callahan	Grattan	Newton	Shuttleworth	Whitney G H
Carrier	Gray	Nugent	Slocum	Wiegand
Caughlan	Hackett	Ogden	Smith A P	Wilsnack
Charles E E	Hammond	Parker	Smith A E	Wilson
Cooke	Hanford	Patton	Smith J E	Wolf
Cotton	Hapeman	Phillips	Smith J T	Wood F C
Coutant	Hartman	Plank	Smith R H	Wood F X
Cox	Hastings	Platt	Standart	Yale
Cowan	Hooker	Pratt	Stanley	Young
Cunningham	Hubbs			

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Mr. Cahn moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill (No. 546, Assembly reprint No. 1677) entitled "An act to provide for the safety of passengers and for protection against fire on excursion boats" (Rec. No. 110), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 79

NOES 19

Those who voted in the affirmative were:

Allen J G	Cunningham	Hurd	Plank	Stanley
Bass	Dale	Kavanaugh	Pratt	Steele
Beebe	Dowling	La Rue	Prentice	Tenjust
Beihliff	Evans	Leggett	Prince	Thompson G F
Bisland	Foelker	Machacek	Reeve	Thompson J A
Brady	Foster	Maier	Reilly	Thonet
Brooks	Freidel	Malloy	Rigby	Tompkins
Burzynski	Gardner	Matthews C R	Rogers	Wade
Byrne	Gates	Merritt	Santee	Wagner
Cadin	Hackett	Moreland	Schoeneck	Wadsworth
Cahn	Hammond	Murphy	Scovill	Wainwright
Callahan	Hapeman	Nugent	Sheldon	Wedemeyer
Charles E E	Hartman	Ogden	Slocum	Wemple
Cotton	Hastings	Parker	Smith A P	Whitney F G

Coutant	Hooker	Patton	Smith J E	Wood F X
Cowan	Hubbs	Phillips	Smith J T	

Those who voted in the negative were:

Carrier	Gray	Palmer	Sherry	Wilson
Ellis	La Fetra	Rosenstein	Shuttleworth	Wood F.C
Fitzsimons	McManus	Salomon	Smith R H	Young
Grady	Newton	Sammon	Stevens	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 141) entitled "An act to amend the Liquor Tax Law, relative to the submission of questions as to the sale of liquors in residence districts in certain cities and villages" (Int. No. 141), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 839) entitled "An act to amend the Insurance Law in relation to the incorporation of fraternal beneficiary societies, orders or associations" (Int. No. 740), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Pendry	Smith A E
Allen F E	Cox	Hooper	Perry	Smith J T
Allen J G	Cunningham	Hubbs	Phillips	Smith R H
Anderson	Dale	Hurd	Plank	Staney
Apgar	Donovan	Kavanaugh	Platt	Steele
Bass	Dowling	Knapp	Pratt	Sullivan
Bedell	Ellis	La Rue	Prentice	Tenjost
Beebe	Evans	Leggett	Prince	Thompson J A
Beihlf	Everett	Lewis	Quinn	Thonet
Bird	Fish	Machacek	Reeve	Tompkins
Brady	Fitzsimons	Malloy	Reilly	Wade
Brooks	Foelker	Mathews T F	Rigby	Wagner
Burnett	Foster	Matthews C R	Rogers	Wadsworth

Burns	Freidel	McKeown	Rosenstein	Wainwright
Burzynski	Fuller	McManus	Sammon	West
Byrne	Gardner	Mead	Santee	Whitney F G
Cadin	Gates	Miller	Schoeneck	Whitney G H
Cahn	Grattan	Moreland	Scovill	Wiegand
Callahan	Gray	Murphy	Shanahan	Wilsnack
Caughlan	Gurnett	Newton	Sheehy	Wolf
Charles E E	Hackett	Nugent	Sheldon	Wood F C
Cooke	Hammond	Ogden	Sherry	Wood F X
Coon	Hanford	Palmer	Slocum	Yale
Cotton	Hartman	Parker	Smith A P	Young
Coutant	Hastings	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1882) entitled "An act authorizing the town of Middletown, Delaware county, to issue bonds to retire outstanding certificates of indebtedness against said town" (Int. No. 1257), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hooker	Pendry	Smith R H
Allen F E	Coutant	Hooper	Perry	Standart
Allen J G	Cowan	Hornidge	Phillips	Steele
Anderson	Cox	Hubbs	Plank	Stevens
Apgar	Cunningham	Hurd	Platt	Sullivan
Bass	Dale	Knapp	Prentice	Thompson G F
Becker	Dodd	La Fetra	Prince	Thompson J A
Bedell	Donovan	La Rue	Quinn	Thonet
Beebe	Ellis	Lewis	Reilly	Tompkins
Beihilf	Etzel	Maier	Rigby	Wade
Bird	Evans	Malloy	Rogers	Wagner
Bisland	Everett	Mathews T F	Rosenstein	Wadsworth
Brady	Fitzsimons	Matthews C R	Salomon	Wainwright
Brooks	Foster	McKeown	Sammon	Wedemeyer
Burnett	Francisco	McManus	Schoeneck	Wemple
Burns	Fuller	Merritt	Scovill	Whitney F G
Burzynski	Gates	Miller	Shanahan	Whitney G H
Byrne	Grady	Monroe	Sheehy	Wiegand
Cadin	Grattan	Moreland	Sheldon	Wilsnack
Cahn	Gray	Newton	Shuttleworth	Wilson
Callahan	Gurnett	Nugent	Slocum	Wolf
Caughlan	Hackett	Ogden	Smith A P	Wood F C

Charles E E	Hammond	O'Neill	Smith A E	Wood F X
Charles W B	Hanford	Palmer	Smith J E	Yale
Cooke	Hapeman	Patton	Smith J T	Young
Coon	Hartman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1852) entitled "An act to amend the Penal Code, in relation to adultery" (Int. No. 785), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1205) entitled "An act to amend the Forest, Fish and Game Law in relation to the pollution of streams" (Int. No. 994), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were :

Agnew	Cunningham	Hooper	Pendry	Smith R H
Allen F E	Dale	Hornidge	Perry	Stanley
Allen J G	Dodd	Hubbs	Plank	Steele
Anderson	Donovan	Hurd	Platt	Stevens
Apgar	Dowling	Knapp	Pratt	Tenjost
Bass	Ellis	La Fetra	Prince	Thompson G F
Bedell	Evans	La Rue	Quinn	Thompson J A
Beebe	Everett	Lewis	Reeve	Tompkins
Bird	Fish	Machacek	Reilly	Waddell
Brady	Fitzsimons	Maier	Rigby	Wade
Brooks	Foelker	Malloy	Rogers	Wadsworth
Burns	Foster	Mathews T F	Rosenstein	Wainwright
Burzynski	Francisco	Mathews C R	Salomon	Wedemeyer
Byrne	Fuller	McKeown	Sammon	Wemple
Cadin	Gardner	McManus	Schoeneck	Whitney F G
Cahn	Gates	Mead	Scovill	Whitney G H
Carrier	Grady	Merritt	Sheehy	Wiegand
Caughlan	Grattan	Monroe	Sheldon	Wilsnack
Charles E E	Gray	Moreland	Shuttleworth	Wilson
Cooke	Gurnett	Murphy	Slocum	Wolf

Coon	Hammond	Nugent	Smith A P	Wood F C
Cotton	Hanford	Ogden	Smith A E	Wood F X
Coutant	Hapeman	O'Neill	Smith J E	Yale
Cowan	Hartman	Parker	Smith J T	Young
Cox	Hooker	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1944) entitled "An act to amend the Election Law, by providing for a special registration of electors absent from the State" (Int. No. 488), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 00

Those who voted in the affirmative were:

Agnew	Dodd	Knapp	Plank	Smith J T
Allen F E	Donovan	La Fetra	Platt	Smith R H
Anderson	Dowling	La Rue	Pratt	Stanley
Apgar	Etzel	Lewis	Prentice	Steele
Becker	Evans	Machacek	Prince	Stevens
Beebe	Everett	Malloy	Quinn	Sullivan
Beihlf	Fitzsimons	Mathews T F	Reeve	Thompson G F
Bird	Foster	Matthews C R	Reilly	Thompson J A
Brady	Francisco	McKeown	Rigby	Tompkins
Brooks	Freidel	McManus	Rogers	Waddell
Burnett	Gardner	Mead	Rosenstein	Wade
Burns	Gates	Miller	Salomon	Wadsworth
Byrne	Grattan	Monroe	Sammon	Wainwright
Cadin	Gray	Moreland	Schoeneck	Wedemeyer
Cahn	Hackett	Murphy	Scovill	Wemple
Callahan	Hammond	Nugent	Shanahan	Whitney F G
Caughlan	Hanford	Ogden	Sheehy	Wiegand
Charles E E	Hartman	O'Neill	Sherry	Wilsnack
Charles W B	Hastings	Palmer	Shuttleworth	Wilson
Cooke	Hooker	Parker	Slocum	Wolf
Cotton	Hooper	Patton	Smith A P	Wood F X
Coutant	Hornidge	Pendry	Smith A E	Yale
Cox	Hubbs	Perry	Smith J E	Young
Cunningham	Kavanaugh	Phillips		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Cahn moved to reconsider the vote by which said bill was passed and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1918) entitled "An act to amend the Labor Law, relative to the evidence of age of minor employees in factories, mercantile and other establishments" (Int. No. 978), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hubbs	Platt	Standart
Allen F E	Dale	Hurd	Pratt	Stanley
Allen J G	Dodd	Knapp	Prentice	Steele
Anderson	Donovan	La Fetra	Quinn	Stevens
Apgar	Dowling	La Rue	Reeve	Sullivan
Becker	Ellis	Lewis	Reilly	Tenjust
Bedell	Etzel	Machacek	Rigby	Thompson G F
Beebe	Everett	Malloy	Rogers	Thompson J A
Beihliff	Fish	Mathews T F	Rosenstein	Thonet
Bird	Fitzsimons	Matthews C R	Salomon	Wadde
Bisland	Foelker	McKeown	Sammon	Wade
Brooks	Foster	McManus	Santee	Wagner
Burnett	Francisco	Merritt	Schoeneck	Wadsworth
Burns	Freidel	Miller	Scovill	Wainwright
Burzynski	Gardner	Moreland	Shanahan	Wedenmeyer
Byrne	Gates	Murphy	Sheehy	Wemple
Cahn	Grady	Nugent	Sheldon	Whitney F G
Callahan	Gray	Ogden	Sherry	Whitney G H
Carrier	Gurnett	O'Neill	Shuttleworth	Wilsnack
Caughlan	Hackett	Parker	Slocum	Wilson
Charles E E	Hanford	Patton	Smith A P	Wolf
Cooke	Hapeman	Pendry	Smith A E	Wood F C
Coon	Hartman	Perry	Smith J E	Wood F X
Cotton	Hastings	Phillips	Smith J T	Yale
Coutant	Hooker	Plank	Smith R H	Young
Cowan	Hornidge			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent.

Mr. La Rue offered for the consideration of the House, a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill No. 879, entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown,' as amended by chapter 399 of the Laws of 1903, in relation to the amount of money to be raised for the use of the board of education." (Rec. No. 183.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. La Rue, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. La Rue, and by unanimous consent, said bill was substituted for Assembly bill No. 1920, Int. No. 1300, same title and subject, now on the order of third reading.

On motion of Mr. La Rue, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1920) entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown,' in relation to the amount of money to be raised for the use of the board of education" (Int. No. 1300), having been announced for a third reading,

On motion of Mr. La Rue, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1919) entitled "An act to amend the Consolidated School Law, relative to the alteration of school districts having a bonded indebtedness" (Int. No. 1064), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present

AYES 126

NOES 00

Those who voted in the affirmative were :

Agnew	Cowan	Hooker	Pendry	Smith J E
Allen F E	Cox	Hooper	Perry	Smith R H
Allen J G	Cunningham	Hornidge	Phillips	Standart
Anderson	Dale	Hubbs	Plank	Stanley
Apgar	Dodd	Hurd	Platt	Steele
Bass	Donovan	Knapp	Pratt	Sullivan
Bedell	Dowling	La Fetra	Prentice	Thompson G F
Beebe	Etzel	La Rue	Prince	Thompson J A
Beihilf	Evans	Lewis	Quinn	Thonet
Bisland	Fish	Machacek	Reeve	Tompkins
Brady	Fitzsimons	Malloy	Reilly	Waddell
Brooks	Foster	Mathews T F	Rigby	Wade
Burnett	Francisco	Matthews C R	Rogers	Wagner
Burns	Freidel	McKeown	Rosenstein	Wadsworth
Burzynski	Fuller	McManus	Salomon	Wainwright
Byrne	Gardner	Mead	Sammon	Wedemeyer
Cadin	Grady	Merritt	Santee	Wemple
Cahn	Grattan	Monroe	Schoeneck	Whitney F G
Callahan	Gray	Moreland	Shanahan	Wiegand
Carrier	Gurnett	Newton	Sheehy	Wilsnack
Caughlan	Hackett	Nugent	Sheldon	Wilson
Charles E E	Hammond	Ogden	Sherry	Wolf
Charles W B	Hanford	Palmer	Shuttleworth	Wood F X
Cooke	Hapeman	Parker	Smith A P	Yale
Coon	Hartman	Patton	Smith A E	Young
Coutant				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1921) entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' relative to assessments" (Int. No. 1253), having been announced for a third reading,

Mr. Moreland moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 4, strike out the word "February" and insert in place thereof the word "March;" also, strike out the word "October" and insert in place thereof the word "November."

Same page, line 13, after the word "Sundays" strike out the comma and insert the word "and."

Page 6, line 17, strike out the word "third" and insert the word "first;" also, strike out the word "March" and insert the word "April."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bil amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1916) entitled "An act to amend the Penal Code, in relation to the unlawful taking, copying or use of trade lists, lists of customers, subscribers, etc." (Int. No. 725), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hubbs	Phillips	Stanley
Allen F E	Cunningham	Kavanaugh	Platt	Steele
Allen J G	Dale	Knapp	Pratt	Stevens
Anderson	Dodd	La Fetra	Prentice	Sullivan
Bass	Donovan	La Rue	Prince	Tenjost
Becker	Ellis	Lewis	Quinn	Thompson G F
Bedell	Etzel	Machacek	Reeve	Thompson J A
Beebe	Evans	Maier	Reilly	Tompkins
Beihlf	Everett	Malloy	Rogers	Waddell
Bird	Fitzsimons	Mathews T F	Rosenstein	Wade
Bisland	Foelker	Matthews C R	Salomon	Wagner
Brooks	Francisco	McKeown	Sammon	Wadsworth
Burnett	Freidel	McManus	Santee	Wainwright
Burns	Gardner	Merritt	Schoeneck	West
Burzynski	Gates	Miller	Shanahan	Wemple
Byrne	Grattan	Moreland	Stanley	Whitney F G
Cadin	Gray	Murphy	Sheldon	Whitney G H
Cahn	Hackett	Newton	Shuttleworth	Wiegand
Carrier	Hammond	Ogden	Slocum	Wilson
Caughlan	Hanford	O'Neill	Smith A P	Wolf
Charles E E	Hartman	Palmer	Smith A E	Wood F C
Charles W B	Hapeman	Parker	Smith J T	Wood F X
Cooke	Hastings	Patton	Smith R H	Yale
Coon	Hooker	Pendry	Standart	Young
Coutant	Hornidge	Perry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1917) entitled "An act to amend the State Finance Law, in relation to the education fund" (Int. No. 1243), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hastings	Palmer	Smith R H
Allen F E	Cunningham	Hooker	Parker	Standart
Allen J G	Dodd	Hooper	Patton	Stanley
Anderson	Donovan	Hornidge	Pendry	Steele
Bass	Dowling	Hubbs	Perry	Stevens
Becker	Ellis	Kavanaugh	Phillips	Sullivan
Bedell	Etzel	Knapp	Plank	Thompson G F
Beihlf	Evans	La Fetra	Platt	Thompson J A
Bird	Everett	Leggett	Pratt	Tompkins
Bisland	Fish	Lewis	Prince	Waddell
Brady	Foelker	Maier	Quinn	Wade
Brooks	Foster	Malloy	Reeve	Wadsworth
Burnett	Francisco	Matthews C R	Rigby	Wainwright
Burns	Freidel	McKeown	Rosenstein	Wedemeyer
Burzynski	Fuller	McManus	Salomon	West
Byrne	Gardner	Mead	Santee	Wemple
Cadin	Gates	Merritt	Scovill	Whitney G H
Callahan	Grady	Miller	Shanahan	Wiegand
Carrier	Grattan	Monroe	Sheldon	Wilsnack
Caughlan	Gray	Moreland	Sherry	Wilson
Charles E E	Gurnett	Murphy	Shuttleworth	Wolf
Cooke	Hackett	Newton	Smith A P	Wood F C
Cotton	Hammond	Nugent	Smith A E	Wood F X
Coutant	Hanford	Ogden	Smith J E	Yale
Cowan	Hartman	O'Neill	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1943) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' relative to service of precept in dispossess proceedings" (Int. No. 863), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hapeman	Parker	Smith J E
Allen F E	Coutant	Hastings	Patton	Smith J T
Allen J G	Cowan	Hooker	Pendry	Smith R H
Anderson	Cox	Hornidge	Perry	Standart
Apgar	Dale	Hubbs	Phillips	Stanley
Bass	Dodd	Hurd	Plank	Steele
Becker	Donovan	Kavanaugh	Platt	Sullivan
Bedell	Dowling	Knapp	Pratt	Thonet
Beebe	Etsel	La Fetra	Prentice	Thompson G F
Beihilf	Evans	La Rue	Prince	Thompson J A
Bisland	Everett	Leggett	Quinn	Thompson
Brady	Fitzsimons	Machacek	Reeve	Waddell
Brooks	Foelker	Maier	Rigby	Wagner
Burnett	Foster	Mathews T F	Rogers	Wadsworth
Burzynski	Freidel	Matthews C R	Rosenstein	Wedemeyer
Byrne	Fuller	McKeown	Sammon	West
Cadin	Gardner	McManus	Santee	Whitney F G
Cahn	Gates	Miller	Schoeneck	Wiegand
Callahan	Grady	Monroe	Scovill	Wilsnack
Caughlan	Grattan	Murphy	Sheehy	Wolf
Charles E E	Gray	Newton	Sheldon	Wood F C
Charles W B	Gurnett	Nugent	Shuttleworth	Wood F X
Cooke	Hammond	Ogden	Slocum	Yale
Coon	Hanford	Palmer	Smith A P	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1915) entitled "An act to amend the Penal Code, in relation to crimes against the elective franchises" (Int. No. 862), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117

NOES 1

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Patton	Smith A E
Allen F E	Cunningham	Hornidge	Pendry	Smith J T
Allen J G	Dodd	Hubbs	Perry	Smith R H
Anderson	Donovan	Hurd	Phillips	Standart
Bass	Dowling	Knapp	Plank	Stanley
Becker	Ellis	La Fetra	Platt	Stevens
Bedell	Etsel	La Rue	Pratt	Tenjost
Beihlf	Evans	Lewis	Prentice	Thompson G F
Bird	Fish	Machacek	Quinn	Thonet
Brady	Fitzsimons	Maier	Reeve	Waddell
Brooks	Foelker	Malloy	Rigby	Wade
Burnett	Francisco	Mathews T F	Rogers	Wadsworth
Burns	Freidel	Matthews C R	Rosenstein	Wainwright
Burzynski	Fuller	McKeown	Salomon	West
Byrne	Gardner	Mead	Santee	Wemple
Cahn	Gates	Miller	Schoeneck	Whitney G H
Callahan	Grattan	Monroe	Scovill	Wilsnack
Carrier	Gray	Moreland	Shanahan	Wilson
Caughlan	Gurnett	Newton	Sheehy	Wolf
Charles W B	Hammond	Nugent	Sheldon	Wood F C
Cooke	Hanford	O'Neill	Shuttleworth	Wood F X
Coon	Hapeman	Palmer	Slocum	Yale
Cotton	Hastings	Parker	Smith A P	Young
Cowan	Hooker			

In the negative:

McManus

Ordered. That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1945) entitled "An act to amend the Code of Civil Procedure, relative to precepts in dispossess proceedings" (Int. No. 862), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Pendry	Smith J T
Allen F E	Cox	Hooper	Perry	Standart
Anderson	Cunningham	Hornidge	Phillips	Stanley
Appar	Dale	Hurd	Plank	Steele

Bass	Dodd	Kavanaugh	Platt	Stevens
Bedell	Donovan	Knapp	Pratt	Tenjost
Beebe	Dowling	La Rue	Prentice	Thompson G F
Beihlf	Ellis	Lewis	Prince	Thompson J A
Bird	Etzel	Machacek	Quinn	Thonet
Bisland	Evans	Maier	Reeve	Waddell
Brady	Fish	Malloy	Reilly	Wade
Burnett	Fitzsimons	Mathews T F	Rogers	Wagner
Burns	Foelker	Matthews C R	Rosenstein	Wadsworth
Burzynski	Francisco	McKeown	Salomon	Wainwright
Byrne	Freidel	McManus	Sammon	Wedemeyer
Cadin	Gardner	Merritt	Schoeneck	West
Cahn	Gates	Miller	Shanahan	Whitney F G
Callahan	Grady	Moreland	Sheehy	Whitney G H
Carrier	Grattan	Murphy	Sheldon	Wilsnack
Caughlan	Gray	Newton	Sherry	Wilson
Charles E E	Hackett	Nugent	Shuttleworth	Wolf
Charles W B	Hammond	O'Neill	Slocum	Wood F C
Coon	Hanford	Palmer	Smith A P	Wood F X
Cotton	Hapeman	Parker	Smith A E	Yale
Coutant	Hastings	Patton	Smith J E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1865) entitled "An act to amend the Greater New York charter, relative to Anniversary day, so-called, as a holiday in the public schools of the borough of Brooklyn, city of New York" (Int. No. 1367), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Pendry	Smith J E
Allen F E	Dale	Hubbs	Perry	Smith J T
Allen J G	Dodd	Kavanaugh	Phillips	Standart
Apgar	Dowling	Knapp	Plank	Stanley
Bass	Ellis	La Fetra	Platt	Steele
Becker	Etzel	Leggett	Pratt	Sullivan
Bedell	Evans	Lewis	Prentice	Tenjost
Beebe	Everett	Machacek	Prince	Thompson G F
Bird	Fitzsimons	Maier	Quinn	Thompson J A
Bisland	Foelker	Malloy	Reeve	Tompkins
Brooks	Foster	Mathews T F	Reilly	Waddell
Burnett	Francisco	Matthews C R	Rogers	Wade
Burzynski	Freidel	McKeown	Rosenstein	Wagner

Byrne	Gardner	McManus	Salomon	Wadsworth
Cadin	Gates	Mead	Sammon	Wedemeyer
Callahan	Grady	Miller	Schoeneck	West
Carrier	Grattan	Monroe	Scovill	Whitney F G
Caughlan	Gray	Moreland	Shanahan	Whitney G H
Charles W B	Hackett	Murphy	Sheldon	Wilsnack
Cooke	Hammond	Nugent	Sherry	Wilson
Coon	Hapeman	Ogden	Shuttleworth	Wolf
Cotton	Hartman	O'Neill	Slocum	Wood F X
Coutant	Hastings	Palmer	Smith A P	Yale
Cowan	Hooker	Patton	Smith A E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1816) entitled "An act to amend the State Charities Law in relation to the transfer of the duties of the treasurer to the agent of Craig Colony for Epileptics, and to reimburse for maintenance of inmates of the colony" (Int. No. 1349), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Palmer	Slocum
Allen F E	Cowan	Hooper	Parker	Smith A P
Anderson	Cox	Hubbs	Patton	Smith A E
Apgar	Cunningham	Hurd	Pendry	Smith J T
Bass	Dale	Kavanaugh	Perry	Smith R H
Becker	Dodd	La Fetra	Phillips	Standart
Bedell	Donovan	La Rue	Plank	Stanley
Beihliff	Ellis	Leggett	Pratt	Steele
Bird	Etzel	Lewis	Prentice	Sullivan
Bisland	Evans	Machacek	Prince	Tenjost
Brady	Everett	Maier	Quinn	Thompson J A
Burnett	Fitzsimons	Malloy	Reeve	Tompkins
Burns	Ficker	Mathews T F	Reilly	Wade
Burzynski	Francisco	Matthews C R	Rigby	Wadsworth
Byrne	Fuller	McKeown	Rogers	Wedemeyer
Cadin	Gates	McManus	Salomon	West
Cahn	Grady	Mead	Sammon	Whitney F G
Carrier	Grattan	Miller	Santee	Wiegand
Caughlan	Gray	Monroe	Scovill	Wilson
Charles E E	Hackett	Murphy	Shanahan	Wood F C
Charles W B	Hammond	Newton	Sheehy	Wood F X
Cooke	Hanford	Nugent	Sherry	Yale
Coon	Hartman	Ogden	Shuttleworth	Young
Cotton	Hastings	O'Neill		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1872) entitled "An act authorizing the board of education of the city of New York to provide for the construction of swimming pools and the employment of instructors thereat" (Int. No. 965), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Pendry	Smith J T
Allen F E	Cowan	Hooper	Perry	Smith R H
Allen J G	Cox	Hornidge	Phillips	Standart
Anderson	Dale	Hubbs	Plank	Steele
Apgar	Dodd	Kavanaugh	Platt	Stevens
Bass	Dowling	La Fetra	Pratt	Sullivan
Becker	Ellis	La Rue	Prince	Tenjost
Bedell	Etzel	Leggett	Quinn	Thompson J A
Beihilf	Evans	Machacek	Reeve	Thonet
Bird	Fish	Maier	Reilly	Tompkins
Bisland	Fitzsimons	Malloy	Rigby	Wade
Brady	Foelker	Mathews T F	Rogers	Wagner
Brooks	Francisco	Matthews C R	Rosenstein	Wadsworth
Burns	Freidel	McKeown	Salomon	Wedemeyer
Burzynski	Fuller	McManus	Sammon	West
Byrne	Gardner	Miller	Santee	Wemple
Cadin	Gates	Moreland	Scovill	Whitney G H
Cahn	Grady	Murphy	Shanahan	Wiegand
Callahan	Gray	Nugent	Sheehy	Wilsnack
Carrier	Gurnett	Ogden	Sheldon	Wolf
Caughlan	Hammond	O'Neill	Sherry	Wood F C
Charles E E	Hanford	Palmer	Shuttleworth	Wood F X
Charles W B	Hapeman	Parker	Smith A P	Yale
Coon	Hartman	Patton	Smith A E	Young
Cotton				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 439) entitled "An act to amend the Greater New York charter, relative to certain officers of the municipal court of the city of New York" (Int. No. 418), was read the third

time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooker	Pendry	Smith R H
Allen F E	Dale	Hooper	Perry	Standart
Anderson	Donovan	Hornidge	Phillips	Steele
Apgar	Dowling	Hubbs	Plank	Stevens
Bass	Ellis	Kavanaugh	Platt	Tenjost
Bedell	Etzel	Knapp	Pratt	Thompson J A
Beebe	Evans	La Fetra	Prentice	Thonet
Beihlf	Everett	La Rue	Prince	Tompkins
Bisland	Fitzsimons	Leggett	Ogden	Waddell
Brady	Foelker	Machacek	Reeve	Wade
Brooks	Foster	Maier	Rigby	Wagner
Burnett	Francisco	Malloy	Rogers	Wadsworth
Burzynski	Freidel	Mathews T F	Rosenstein	Wedemeyer
Byrne	Fuller	Matthews C R	Salomon	West
Cadin	Gates	McKeown	Sammon	Wemple
Callahan	Grady	McManus	Santee	Whitney F G
Carrier	Grattan	Mead	Schoeneck	Whitney G H
Caughlan	Gray	Miller	Scovill	Wilsnack
Charles E E	Gurnett	Moreland	Shanahan	Wilson
Cooke	Hackett	Murphy	Sheehy	Wolf
Coon	Hammond	Newton	Sheldon	Wood F C
Cotton	Hanford	Ogden	Sherry	Wood F X
Coutant	Hapeman	Palmer	Slocum	Yale
Cowan	Hartman	Parker	Smith A E	Young
Cox	Hastings	Patton	Smith J E	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1876) entitled "An act to provide for the erection of a new high school in the city of Syracuse" (Int. No. 1190), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hornidge	Perry	Smith R H
Allen F E	Cox	Hubbs	Plank	Standart
Anderson	Cunningham	Hurd	Platt	Stanley
Apgar	Dale	Kavanaugh	Pratt	Steele
Bass	Donovan	Knapp	Prentice	Stevens
Becker	Dowling	La Fetra	Prince	Tenjust
Bedell	Ellis	La Rue	Quinn	Thompson G F
Beebe	Etzel	Leggett	Reeve	Thompson J A
Beihlf	Evans	Lewis	Reilly	Thonet
Bisland	Everett	Machacek	Rigby	Tompkins
Brady	Fish	Malloy	Rogers	Waddell
Brooks	Fitzsimons	Mathews T F	Rosenstein	Wade
Burnett	Foelker	Mathews C R	Salomon	Wagner
Burns	Foster	McKeown	Sammon	Wainwright
Burzynski	Freidel	McManus	Santee	Wedemeyer
Byrne	Fuller	Mead	Scovill	Wemple
Cadin	Gardner	Merritt	Shanahan	Whitney F G
Cahn	Grady	Monroe	Sheehy	Whitney G H
Callahan	Grattan	Moreland	Sheldon	Wiegand
Carrier	Gray	Murphy	Sherry	Wilsnack
Caughlan	Gurnett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Ogden	Slocum	Wolf
Cooke	Hapeman	Palmer	Smith A P	Wood F C
Coon	Hastings	Parker	Smith A E	Wood F X
Cotton	Hooker	Patton	Smith J E	Yale
Coutant	Hooper	Pendry	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1950) entitled "An act to regulate the use of streets, avenues and public places in the city of New York, in the borough of Manhattan, by steam railroads operated at grade" (Int. No. 541), having been announced for a third reading,

On motion of Mr. Stanley, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1871) entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow and also authorizing the comptroller of the city of New York to pay to certain persons compensation for services actually rendered to the city of New York in the school board in the year 1899" (Int. No. 1011), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hapeman	Palmer	Smith J E
Allen F E	Coutant	Hartman	Parker	Smith R H
Allen J G	Cox	Hastings	Patton	Stanley
Anderson	Cunningham	Hooker	Pendry	Steele
Apgar	Dale	Hooper	Perry	Sullivan
Bass	Dodd	Hubbs	Phillips	Thompson G F
Becker	Dowling	Hurd	Plank	Thompson J A
Bedell	Ellis	Kavanaugh	Platt	Thonet
Beebe	Etsel	Knapp	Prentice	Waddell
Beihliff	Evans	La Rue	Prince	Wade
Bird	Everett	Lewis	Quinn	Wagner
Bisland	Fish	Maier	Reeve	Wadsworth
Brady	Fitzsimons	Malloy	Reilly	Wainwright
Brooks	Foelker	Mathews T F	Rogers	Wedemeyer
Burnett	Foster	Matthews C R	Rosenstein	West
Burns	Freidel	McKeown	Salomon	Wemple
Burzynski	Fuller	McManus	Sammon	Whitney F G
Byrne	Gardner	Mead	Santee	Wiegand
Cadin	Gates	Merritt	Scovill	Wilsnack
Callahan	Grady	Monroe	Shanahan	Wilson
Carrier	Grattan	Moreland	Sheehy	Wolf
Caughlan	Gray	Murphy	Sheldon	Wood F C
Charles E E	Gurnett	Nugent	Shuttleworth	Wood F X
Charles W B	Hammond	Ogden	Slocum	Yale
Cooke	Hanford	O'Neill	Smith A E	Young
Coon				

Ordered. That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1815) entitled "An act to amend the Greater New York charter, in relation to the appointment of patrolmen" (Int. No. 1348), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Plank	Stanley
Allen F E	Cox	Hornidge	Platt	Steele
Allen J G	Cunningham	Hubbs	Pratt	Stevens
Anderson	Dale	Hurd	Prentice	Sullivan
Apgar	Dodd	Kavanaugh	Prince	Tenjost
Bass	Donovan	Knapp	Quinn	Thompson G F
Becker	Dowling	La Rue	Reeve	Thompson J A
Beebe	Ellis	Leggett	Reilly	Thonet
Beihliff	Etzel	Lewis	Rigby	Tompkins
Bird	Evans	Machacek	Rosenstein	Waddell
Bisland	Everett	Maier	Salomon	Wade
Brady	Fish	Mathews T F	Sammon	Wagner
Brooks	Fitzsimons	Matthews C R	Santee	Wadsworth
Burns	Foelker	McKeown	Schoeneck	Wedemeyer
Burzynski	Francisco	McManus	Scovill	West
Byrne	Freidel	Mead	Shanahan	Wemple
Cadin	Fuller	Miller	Sheldon	Whitney F G
Cahn	Gates	Moreland	Sherry	Whitney G H
Callahan	Grady	Murphy	Shuttleworth	Wiegand
Carrier	Grattan	Nugent	Slocum	Wilsnack
Caughlan	Gray	Ogden	Smith A P	Wilson
Charles E E	Hackett	O'Neill	Smith A E	Wolf
Charles W B	Hammond	Parker	Smith J E	Wood F C
Cooke	Hanford	Patton	Smith J T	Wood F X
Coon	Hartman	Pendry	Smith R H	Yale
Cotton	Hastings	Perry	Standart	Young
Coutant	Hooker	Phillips		

Ordered. That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1534) entitled "An act to amend the Insurance Law relative to mutual benefit fraternities" (Int. No. 1200), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooper	Pendry	Smith J E
Allen F E	Cowan	Hornidge	Perry	Smith J T
Allen J G	Cox	Hubbs	Phillips	Standart
Anderson	Cunningham	Kavanaugh	Platt	Stanley

Apgar	Dale	Knapp	Pratt	Steele
Bass	Dodd	La Fetra	Prentice	Stevens
Becker	Donovan	Leggett	Prince	Tenjost
Bedell	Dowling	Lewis	Quinn	Thompson G F
Beebe	Ellis	Machacek	Reeve	Thompson J A
Beihliff	Etzel	Maier	Reilly	Tompkins
Bird	Everett	Malloy	Rigby	Waddell
Bisland	Fish	Mathews T F	Rogers	Wade
Brady	Fitzsimons	Matthews C R	Rosenstein	Wagner
Brooks	Foster	McKeown	Salomon	Wadsworth
Burns	Francisco	McManus	Sammon	Wedemeyer
Burzynski	Freidel	Mead	Santee	West
Byrne	Fuller	Miller	Schoeneck	Wemple
Cadin	Gates	Monroe	Scovill	Whitney F G
Cahn	Grady	Moreland	Shanahan	Whitney G H
Callahan	Grattan	Murphy	Sheehy	Wiegand
Carrier	Gurnett	Newton	Sheldon	Wilsnack
Caughlan	Hammond	Ogden	Sherry	Wolf
Charles W B	Hanford	O'Neill	Shuttleworth	Wood F C
Cooke	Hapeman	Palmer	Slocum	Wood F X
Coon	Hartman	Parker	Smith A P	Yale
Cotton	Hooker	Patton	Smith A E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1874) entitled "An act to amend the Greater New York charter, relative to the salaries of officers" (Int. No. 1145), having been announced for a third reading,

On motion of Mr. La Fetra, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The Senate bill (No. 612) entitled "An act to amend the Insurance Law, as to how surplus profits are to be estimated in the case of domestic fire insurance corporations" (Rec. No. 203), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 1

Those who voted in the affirmative were:

Agnew	Cowan	Hastings	Pendry	Stanley
Allen F E	Cox	Hooker	Perry	Steele
Allen J G	Dale	Hooper	Plank	Stevens
Anderson	Dodd	Hubbs	Platt	Tenjost

Apgar	Donovan	Kavanaugh	Pratt	Thompson G F
Bass	Dowling	Knapp	Prentice	Thonet
Becker	Ellis	La Rue	Prince	Tompkins
Bedell	Etsel	Lewis	Reeve	Waddell
Beebe	Evans	Machacek	Reilly	Wade
Beihilf	Everett	Malloy	Rogers	Wadsworth
Bisland	Fitzsimons	Mathews T F	Rosenstein	Wainwright
Brady	Foster	Matthews C R	Salomon	Wedemeyer
Brooks	Francisco	McKeown	Santee	West
Burns	Freidel	McManus	Schoeneck	Wemple
Burzynski	Fuller	Mead	Shanahan	Whitney F G
Byrne	Gardner	Miller	Sheehy	Whitney G H
Cahn	Gates	Monroe	Sheldon	Wilsnack
Callahan	Grady	Murphy	Sherry	Wilson
Caughlan	Gray	Nugent	Slocum	Wolf
Charles E E	Gurnett	Ogden	Smith A E	Wood F C
Cooke	Hackett	O'Neill	Smith J E	Wood F X
Coon	Hammond	Parker	Smith J T	Yale
Cotton	Hanford	Patton	Smith R H	Young
Coutant	Hapeman			

In the negative:

Palmer

Ordered, That the Clerk deliver said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 770) entitled "An act to release the interest of the people of the State of New York, in certain real estate in the city and county of New York, State of New York, to Raoul Dupuy, Marie Bazian (nee Marie Dupuy), Josephe Despeyroux Paris, Eleonore Despeyroux Lamarque, Julianne Despeyroux, Marie Pauline Basso and Alexandre Basso, and to their heirs and assigns forever" (Rec. No. 151), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 116

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooper	Perry	Standart
Allen F E	Cowan	Hornidge	Phillips	Steele
Allen J G	Cox	Hurd	Platt	Stevens
Anderson	Cunningham	Kavanaugh	Pratt	Tenjust

Apgar	Dale	Knapp	Prentice	Thompson G F
Bass	Donovan	La Rue	Prince	Thompson J A
Becker	Dowling	Leggett	Quinn	Tompkins
Bedell	Ellis	Machacek	Reeve	Waddell
Beebe	Etzel	Maier	Reilly	Wagner
Bird	Evans	Mathews T F	Rogers	Wadsworth
Bisland	Fish	Matthews C R	Rosenstein	Wainwright
Brady	Fitzsimons	McKeown	Salomon	Wedemeyer
Brooks	Foster	McManus	Santee	West
Burns	Francisco	Merritt	Schoeneck	Wemple
Burzynski	Fuller	Monroe	Shanahan	Whitney G H
Byrne	Gates	Moreland	Stanley	Wiegand
Cadin	Grady	Newton	Sheldon	Wilsnack
Cahn	Grattan	Nugent	Shuttleworth	Wilson
Callahan	Gurnett	Ogden	Slocum	Wolf
Carrier	Hammond	Palmer	Smith A E	Wood F C
Charles E E	Hanford	Parker	Smith J E	Wood F X
Charles W B	Hapeman	Patton	Smith J T	Yale
Cooke	Hastings	Pendry	Smith R H	Young
Cotton	Hooker			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1010) entitled "An act to amend the Labor Law relating to the protection of persons employed on buildings in cities" (Rec. No. 223), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 115

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hubbs	Perry	Smith J T
Allen F E	Cox	Kavanaugh	Phillips	Smith R H
Allen J G	Dale	Knapp	Plank	Standart
Anderson	Dodd	La Fetra	Platt	Stanley
Bass	Donovan	La Rue	Pratt	Stevens
Becker	Dowling	Lewis	Prentice	Sullivan
Beebe	Etzel	Machacek	Prince	Tenjost
Beihlf	Evans	Maier	Quinn	Thompson J A
Bird	Fish	Mathews T F	Reeve	Thonet
Brady	Fitzsimons	Matthews C R	Reilly	Waddell
Brooks	Foster	McKeown	Rogers	Wade
Burnett	Francisco	McManus	Rosenstein	Wadsworth
Burns	Freidel	Mead	Salomon	Wedemeyer

Burzynski	Fuller	Miller	Santee	West
Byrne	Gates	Monroe	Schoeneck	Whitney F G
Cadin	Grattan	Moreland	Seovill	Whitney G H
Cahn	Gray	Newton	Shanahan	Wiegand
Carrier	Hackett	Nugent	Sheldon	Wilsnack
Caughlan	Hanford	Ogden	Sherry	Wolf
Charles E E	Hapeman	Palmer	Shuttleworth	Wood F C
Charles W B	Hastings	Parker	Slocum	Wood F X
Coon	Hooker	Patton	Smith A P	Yale
Coutant	Hornidge	Pendry	Smith J E	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 966) entitled "An act to amend chapter 238 of the Laws of 1871, entitled 'An act to provide for the payment of the crier and attendants of the Court of Appeals,' relating to the appointment of a law clerk and a confidential clerk to the chief judge of said court" (Rec. No. 276), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 117

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Parker	Smith J E
Allen F E	Cunningham	Hornidge	Pendry	Smith J T
Allen J G	Dale	Hubbs	Perry	Standart
Apgar	Donovan	Hurd	Phillips	Stanley
Bass	Dowling	Knapp	Plank	Stevens
Becker	Ellis	La Rue	Platt	Sullivan
Beebe	Etzel	Leggett	Pratt	Thompson G F
Beihilf	Evans	Lewis	Prentice	Thompson J A
Bird	Everett	Machacek	Quinn	Tompkins
Brady	Fish	Maier	Reeve	Waddell
Brooks	Fitzsimons	Malloy	Reilly	Wade
Burnett	Foster	Mathews T F	Rigby	Wagner
Burns	Francisco	Matthews C R	Rogers	Wainwright
Byrne	Freidel	McKeown	Salomon	Wedemeyer
Cadin	Fuller	McManus	Sammon	West
Cahn	Gardner	Mead	Santee	Whitney F G
Carrier	Gates	Miller	Schoeneck	Whitney G H
Caughlan	Grattan	Monroe	Shanahan	Wilsnack

Charles E E	Gray	Moreland	Sheehy	Wilson
Charles W B	Gurnett	Murphy	Sheldon	Wood F C
Coon	Hammond	Nugent	Sherry	Wood F X
Cotton	Hapeman	Ogden	Shuttleworth	Yale
Coutant	Hartman	Palmer	Smith A P	Young
Cowan	Hastings			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 814) entitled "An act to authorize the town of Pelham, in the county of Westchester, to acquire a site and construct a new town hall in said town, and to issue bonds in payment therefor" (Rec. No. 184), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Perry	Standart
Allen F E	Cox	Hooper	Phillips	Stanley
Allen J G	Cunningham	Hornidge	Plank	Steele
Anderson	Dale	Hurd	Platt	Stevens
Apgar	Dodd	Kavanaugh	Pratt	Sullivan
Bass	Donovan	Knapp	Prentice	Tenjust
Becker	Ellis	La Rue	Prince	Thompson G F
Bedell	Etzel	Leggett	Quinn	Thompson J A
Beebe	Evans	Lewis	Reeve	Thonet
Beihlf	Fish	Machacek	Rigby	Waddell
Bird	Fitzsimons	Malloy	Rogers	Wade
Bisland	Foelker	Mathews T F	Rosenstein	Wadsworth
Brooks	Francisco	Matthews C R	Salomon	Wainwright
Burnett	Freidel	McKeown	Sammon	Wedemeyer
Burns	Fuller	McManus	Santee	West
Burzynski	Gardner	Merritt	Schoeneck	Wemple
Byrne	Gates	Monroe	Scovill	Whitney F G
Cadin	Grady	Murphy	Shanahan	Whitney G H
Cahn	Gray	Newton	Sheldon	Wiegand
Callahan	Hackett	Ogden	Sherry	Wilsnack
Carrier	Hammond	O'Neill	Slocum	Wolf
Charles E E	Hanford	Palmer	Smith A P	Wood F C
Charles W B	Hapeman	Parker	Smith A E	Wood F X
Cooke	Hartman	Patton	Smith J T	Yale
Coon	Hastings	Pendry	Smith R H	Young
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 253) entitled "An act to amend the general Corporation Law, in relation to the consent of stockholders requisite to an extension of corporate existence" (Rec. No. 188), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The Senate bill (No. 251) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls' in relation to the powers of said city to acquire a water works system" (Rec. No. 66), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Kavanaugh	Platt	Stanley
Allen F E	Donovan	Knapp	Pratt	Steele
Allen J G	Dowling	La Rue	Prentice	Stevens
Anderson	Etsel	Lewis	Prince	Sullivan
Apgar	Evans	Machacek	Quinn	Tenjost
Bass	Fish	Maier	Reeve	Thompson G F
Bedell	Fitzsimons	Mathews T F	Reilly	Thompson J A
Beebe	Foelker	Matthews C R	Rogers	Thonet
Beihliff	Foster	McKeown	Rosenstein	Tompkins
Bird	Freidel	McManus	Salomon	Waddell
Brady	Fuller	Mead	Sammon	Wade
Brooks	Gardner	Merritt	Santee	Wagner
Burnett	Grady	Monroe	Schoeneck	Wadsworth
Burns	Grattan	Moreland	Scovill	Wainwright
Byrne	Gray	Murphy	Shanahan	Wedemeyer
Cadin	Gurnett	Newton	Sheehy	Wemple
Caughlan	Hackett	Nugent	Sherry	Whitney F G
Charles E E	Hammond	Ogden	Shuttleworth	Whitney G H
Charles W B	Hanford	O'Neill	Slocum	Wiegand

Cooke	Hapeman	Palmer	Smith A P	Wilsnack
Coon	Hastings	Parker	Smith A E	Wolf
Cotton	Hooker	Patton	Smith J E	Wood F C
Coutant	Hastings	Pendry	Smith J T	Wood F X
Cox	Hubbs	Phillips	Smith R H	Yale
Cunningham	Hurd	Plank	Standart	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Pursuant to notice, Mr. O'Neill called up the bill (No. 1751) entitled "An act to amend the Code of Criminal Procedure, relating to the powers and duties of probation officers." (Int. No. 676.)

Said bill having been announced for a third reading,

On motion of Mr. O'Neill, said bill was laid aside, and ordered stricken from the calendar.

The bill (No. 1503) entitled "An act to amend the Forest, Fish and Game Law in relation to the compensation of game protectors and the disposition of proceeds of actions" (Int. No. 1194), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1967) entitled "An act creating a commission with power to agree upon a site and general plans of, and to contract for the location and building of a union railroad passenger station, yard, and therewith connected facilities and approaches thereto in the city of Buffalo, and tributary thereto to lease or sell and convey lands belonging to said city, to abandon and close now existing, and establish and open new, and change the location, width or grade of and otherwise improve docks, wharves, parks, streets and public places, and for these purposes to acquire lands and their appurtenances by condemnation proceedings or otherwise" (Int. No. 861), having been announced for a second reading,

On motion of Mr. Cox, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1968) entitled "An act to amend the Liquor Tax Law in relation to special deputy commissioners, excise taxes, local option, persons who shall not traffic in liquors, cancellation proceedings, injunction proceedings, special liquor tax certificates, convictions, and reports and fees of county clerks" (Int. No. 1332), was read the second time.

On motion of Mr. F. G. Whitney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1969) entitled "An act to amend the Forest, Fish and Game Law, relative to the close season" (Int. No. 897), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1970) entitled "An act providing for a pension for Michael Strohm, a former member of the State militia, directing the adjutant-general to place his name upon the roll of invalid pensioners of this State, and making an appropriation for the payment of such pension" (Int. No. 1337), was read the second time.

On motion of Mr. Callahan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1971) entitled "An act to incorporate the Hebrew Free Loan Association" (Int. No. 1067), was read the second time.

On motion of Mr. Freidel, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2008) entitled "An act making appropriations for repairs, renewals and betterments for the several State prisons, the Eastern New York Reformatory, the Matteawan State Hospital for Insane Criminals and the Dannemora State Hospital for Insane Convicts" (Int. No. 735), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2007) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the owners of certain lands in township No. 5, Brown's

tract, Herkimer county, against the State for damages alleged to have been sustained by them, and to render judgment therefor" (Int. No. 1269), was read the second time.

On motion of Mr. Rigby, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2006) entitled "An act to authorize the board of trustees of the village of White Plains to appoint an assessor and prescribe manner of collecting tax" (Int. No. 856), having been announced for a second reading,

Mr. Wainwright moved to amend as follows:

By striking out the word "the" on line 22, page 2, and adding the letter "s" to the word "assessment" on the said line.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Said bill, as amended, was then read the second time, and on motion of Mr. Wainwright, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 2005) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof and supplementary thereto, in relation to the common council and to the nomination and election of members thereof" (Int. No. 1120), having been announced for a second reading,

On motion of Mr. Cox, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 2004) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James W. Watts against the State of New York for damages alleged to have been sustained by him and to render judgment therefor" (Int. No. 214), was read the second time.

On motion of Mr. Pratt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2003) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged

claim of James Flynn against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1267), was read the second time.

On motion of Mr. G. H. Whitney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2002) entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of John P. Smith against the State of New York for damages alleged to have been sustained by him by injuries to his canal boats at the Fort Herkimer lock No. 41 on the Erie canal, on or about the 5th of May, 1903" (Int. No. 1053), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2001) entitled "An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of Thomas Clark against the State of New York for damages alleged to have been sustained by him by injuries to his canal boat at lock No. 64 on the Erie canal, on or about August 20, 1903" (Int. No. 1052), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1998) entitled "An act making appropriations for construction, additions and improvements at the State hospitals for the insane, and for the construction of a reception hospital in the city of New York" (Int. No. 1436), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 43, Assembly reprint No. 2030) entitled "Concurrent resolution proposing amendments to section 2 of article 1 of the Constitution, relating to trial by jury" (Rec. No. 67), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1949) entitled "An act to amend sections 43, 44, 47 and 242 of the Greater New York charter, with reference to the respective powers and duties of the board of estimate and apportionment and the board of aldermen" (Int. No. 1288), having been announced for a second reading,

On motion of Mr. Stanley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1948) entitled "An act to amend sections 17, 28, 41, 43, 44, 45, 47, 48, 50, 72, 73, 74, 75 and 242 of the Greater New York charter, with respect to the powers of the board of aldermen and the board of estimate and apportionment" (Int. No. 1273), having been announced for a second reading,

On motion of Mr. Stanley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1947) entitled "An act to further amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1287), having been announced for a second reading,

On motion of Mr. Stanley, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1441) entitled "An act to amend chapter 632 of the Laws of 1903, entitled 'An act to regulate the practice of barbering in the State of New York; to establish a State Board of Barber Examiners, and to provide for the sanitary inspection of barber shops,' in relation to the renewal of certificates of registration and qualification, return of moneys, apprentices and sub-boards" (Int. No. 1155), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1831) entitled "An act to amend the Railroad Law relative to percentage of gross receipts to be paid by street

surface railroads in cities or villages" (Int. No. 946), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

By unanimous consent, Mr. La Fetra called up Assembly bill No. 1771, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Eugene Scherri against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 919), heretofore laid aside on the order of third reading.

Mr. La Fetra moved that said bill be recommitted to the committee on claims, with instructions to report forthwith the following substitute bill:

AN ACT for the relief of Eugene Scherri.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Eugene Scherri is hereby authorized to commence an action in the supreme court of this state, New York county, against the city of New York, to recover damages for injuries sustained by him on or about the eleventh day of November, eighteen hundred and ninety-seven, while crossing Third avenue at or about the crossing of One hundred and sixth street, which are both public highways, in the borough of Manhattan, city and county of New York, because of the alleged negligence of the firemen in charge of a certain fire engine or machine, the property of the city of New York, which, it is alleged, was being carelessly driven along said Third avenue, and to prosecute such action to final judgment on the merits, any statute, law or decision to the contrary notwithstanding. Nothing in this act shall be construed as passing upon the merits of this claim or assuming liability on the part of the city, nor as debarring the city from interposing any legal or equitable defense, except the defense that it was a sovereign and exercising governmental functions to the alleged claim or any part thereof; and no judgment shall be rendered herein against the city, unless the facts proved shall make out a case against the city, which would create a liability were the same established by evidence in a court of law or equity

against an individual or corporation, nor unless said claim shall be filed with the corporation counsel of the city of New York within one year from the passage of this act. Such action on motion of either party thereto, shall have the preference provided by section seven hundred and ninety-one of the code of civil procedure.

§ 2. The action hereby authorized may be commenced and prosecuted to final judgment upon the merits, in the same manner and with the same effect, as if the same had been commenced in nineteen hundred and three; such bonds to bear interest at a." Scherri. The plaintiff in the action hereby authorized shall be entitled to judgment thereon for such sum of money, if any, as will compensate him for such damages as were sustained by him as a result of such alleged negligence.

§ 3. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cox, from the committee on claims, reported said substitute bill as directed, and the same was ordered printed and placed on the order of third reading.

The Senate returned the bill (No. 207, Senate reprint No. 414) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of completing the abatement of all nuisances in the Main and Hamburg canal, the Ohio basin slip between the south line of Elk street and the Main and Hamburg street canal, and the Clark and Skinner canal" (Int. No. 207), with a message that they have concurred in the passage of the same with the following amendments:

Page 1, strike out lines 1 to 7 inclusive, and insert the following:

"Section 1. It shall be lawful for the city of Buffalo to issue its bonds in the sum of one hundred and fifty thousand dollars for the purpose of raising money to complete the abatement of all nuisances existing in the Main and Hamburg canal, the Ohio basin slip between the south line of Elk street and the Main and Hamburg street canal, and the Clark and Skinner canal, in accordance with the provisions of chapter two hundred and ninety-five of the laws of eighteen hundred and ninety-eight,

chapter six hundred and fifty-one of the laws of nineteen hundred and one, and chapter five hundred and thirty-five of the laws of nineteen hundred and three; such bonds to bear interest at a”.

Amend title to read as follows:

“An act to authorize the city of Buffalo to issue its bonds for the purpose of completing the abatement of all nuisances in the Main and Hamburg canal, the Ohio basin slip between the south line of Elk street and the Main and Hamburg street canal, and the Clark and Skinner canal.”

Mr. Cox moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the negative were:

Agnew	Coutant	Hurd	Phillips	Smith R H
Allen F E	Cowan	Kavanaugh	Plank	Stanley
Allen J G	Cox	La Fetra	Pratt	Steele
Anderson	Cunningham	La Rue	Prentice	Stevens
Apgar	Donovan	Leggett	Prince	Sullivan
Bass	Ellis	Lewis	Quinn	Tenjost
Becker	Etzel	Machacek	Reeve	Thompson J A
Bedell	Everett	Maier	Reilly	Thonet
Beebe	Fish	Malloy	Rigby	Tompkins
Beihilf	Fitzsimons	Mathews T F	Rogers	Waddell
Bird	Foelker	Matthews C R	Rosenstein	Wade
Bisland	Foster	McKeown	Salomon	Wadsworth
Brooks	Freidel	McManus	Sammon	Wainwright
Burnett	Fuller	Merritt	Santee	Wedemeyer
Cadin	Gardner	Miller	Schoeneck	West
Burzynski	Grady	Monroe	Shanahan	Wemple
Byrne	Grattan	Murphy	Sheehy	Whitney F G
Cadin	Gray	Newton	Sheldon	Whitney G H
Cahn	Hackett	Ogden	Sherry	Wiegand
Callahan	Hammond	O'Neill	Shuttleworth	Wilsnack
Carrier	Hanford	Palmer	Slocum	Wolf
Caughlan	Hapeman	Parker	Smith A P	Wood F C
Charles E E	Hartman	Patton	Smith A B	Wood F X
Charles W B	Hooker	Pendry	Smith J E	Yale
Cooke	Hooper	Perry	Smith J T	Young
Cotton	Hornidge			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1036, Senate reprint No. 1008), entitled "An act to amend the Village Law, relative to the adoption of the town assessment-roll in certain villages" (Int. No. 883), with a message that they have concurred in the passage of the same with the following amendment:

Page 2, line 7, after the first comma insert the words "in such village."

Mr. Newton moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	Patton	Smith J E
Allen F E	Cowan	Hooker	Pendry	Smith J T
Allen J G	Cox	Hornidge	Perry	Smith R H
Anderson	Cunningham	Hubbs	Plank	Standart
Apgar	Dale	Hurd	Pratt	Stanley
Bass	Dodd	Knapp	Prentice	Steele
Becker	Dowling	La Rue	Prince	Stevens
Bedell	Ellis	Leggett	Quinn	Tenjost
Beebe	Etzel	Lewis	Reeve	Thompson G F
Beihlf	Everett	Maier	Rigby	Thompson J A
Bisland	Fish	Malloy	Rogers	Tompkins
Brady	Fitzsimons	Mathews T F	Rosenstein	Waddell
Brooks	Foelker	Matthews C R	Salomon	Wagner
Burns	Francisco	McKeown	Sammon	Wadsworth
Burzynski	Freidel	McManus	Santee	Wainwright
Byrne	Fuller	Merritt	Schoeneck	West
Cadin	Gardner	Miller	Scovill	Whitney F G
Callahan	Grady	Monroe	Shanahan	Wiegand
Carrier	Grattan	Murphy	Sheehy	Wilsnack
Caughlan	Gray	Newton	Sheldon	Wilson
Charles E E	Gurnett	Nugent	Sherry	Wolf
Charles W B	Hammond	Ogden	Shuttleworth	Wood F C
Cooke	Hanford	O'Neill	Slocum	Wood F X
Coon	Hapeman	Palmer	Smith A P	Yale
Cotton	Hartman	Parker	Smith A E	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1061, Senate reprint No. 1009) entitled "An act to amend the Greater New York charter, relative to the department of health" (Int. No. 733), with a message that they have concurred in the passage of the same with the following amendment:

Page 6, line 4, strike out the word "immediately" and insert the words "September, nineteen hundred and five."

Mr. McManus moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	Parker	Smith J T
Allen F E	Cox	Hooker	Patton	Smith R H
Allen J G	Cunningham	Hooper	Pendry	Standart
Apgar	Dale	Hubbs	Perry	Stanley
Bass	Dodd	Hurd	Phillips	Steele
Becker	Dowling	Kavanaugh	Plank	Sullivan
Bedell	Ellis	Knapp	Platt	Thompson G F
Beebe	Etzel	La Rue	Pratt	Thompson J A
Beihlf	Evans	Leggett	Prentice	Thonet
Bisland	Everett	Lewis	Prince	Tompkins
Brady	Fish	Machacek	Reeve	Waddell
Brooks	Foelker	Maier	Reilly	Wade
Burnett	Foster	Mathews T F	Rigby	Wagner
Burns	Francisco	Matthews C R	Rogers	Wadsworth
Burzynski	Freidel	McKeown	Rosenstein	Wedemeyer
Byrne	Fuller	McManus	Salomon	West
Cadin	Gardner	Merritt	Sammon	Wemple
Cahn	Gates	Miller	Santee	Whitney F G
Callahan	Grady	Moreland	Scovill	Whitney G H
Carrier	Gray	Murphy	Shanahan	Wilsnack
Caughlan	Gurnett	Newton	Sheehy	Wilson
Charles E E	Hackett	Nugent	Sherry	Wolf
Charles W B	Hammond	Ogden	Shuttleworth	Wood F C
Cooke	Hapeman	O'Neill	Smith A P	Yale
Coon	Hartman	Palmer	Smith A E	Young
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 929, Senate reprint No. 1056) entitled "An act to establish a retirement fund for pensioning retired school teachers in the city of Rochester, and to regulate the collection and management thereof" (Int. No. 800), with a message that they have concurred in the passage of the same with the following amendments:

Page 4, line 11, after the word "services" insert the words "or refuse to reappoint to service."

Same page, line 14, after the word "retired" insert the words "or refused reappointment."

Same page, line 23, strike out the word "voluntarily" and insert a comma and the words "with the consent of the board of education;" also strike out the word "the."

Same page, line 25, strike out all up to and including the comma.

Page 5, strike out lines 4 to 10 inclusive, and insert the following:

"Subdivision 6. Annuities paid in pursuance of this act shall be one-half the amount of the annual salary of the annuitant at the time of retirement from service, except that no annuity shall exceed eight hundred dollars annually; but if the moneys at the disposal of the trustees of said fund be found at any time inadequate to fully carry out the provision hereinabove mentioned, the trustees shall then pay to the persons entitled to participate in said fund as near a pro rata amount as in their judgment the circumstances will warrant."

Page 6, strike out lines 1 to 9 inclusive.

Same page, line 10, strike out the figure "10" and insert the figure "9."

Same page, line 18, strike out figure "11" and insert the figure "10."

Mr. Ogden moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined

in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Perry	Standart
Allen F E	Cunningham	Hubbs	Phillips	Stanley
Allen J G	Dale	Kavanaugh	Plank	Stevens
Anderson	Dodd	Knapp	Platt	Sullivan
Apgar	Donovan	La Rue	Pratt	Tenjost
Bass	Ellis	Leggett	Prentice	Thompson G F
Becker	Etzel	Lewis	Quinn	Thompson J A
Beebe	Evans	Machacek	Reeve	Thonet
Beihlf	Everett	Maier	Reilly	Waddell
Bisland	Fish	Malloy	Rigby	Wade
Brady	Fitzsimons	Mathews T F	Rogers	Wagner
Brooks	Foelker	Matthews C R	Rosenstein	Wadsworth
Burnett	Foster	McKeown	Salomon	Wainwright
Burns	Francisco	McManus	Santee	Wedemeyer
Byrne	Freidel	Mead	Schoeneck	West
Cadin	Fuller	Miller	Scovill	Wemple
Cahn	Gardner	Monroe	Sheehy	Whitney F G
Callahan	Gates	Murphy	Sheldon	Whitney G H
Carrier	Grady	Newton	Sherry	Wiegand
Caughlan	Gray	Nugent	Shuttleworth	Wilson
Charles E E	Gurnett	Ogden	Slocum	Wolf
Cooke	Hammond	Palmer	Smith A E	Wood F C
Coon	Hanford	Parker	Smith J E	Wood F X
Cotton	Hapeman	Patton	Smith J T	Yale
Coutant	Hastings	Pendry	Smith R H	Young
Cowan	Hooker			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Lewis offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill No. 610, entitled "An act to amend the Poor Law, relating to the relief of soldiers, sailors and their families" (Int. No. 407), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Lewis offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 610, entitled "An act to amend the Poor Law, relating to the relief of soldiers, sailors and their families" (Int. No. 407), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hubbs offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1203, entitled "An act authorizing the town of Islip in the county of Suffolk, to acquire a site and building for town purposes, and to borrow money therefor" (Int. No. 992), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hornidge offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 520, entitled "An act to legalize, ratify and confirm certain contracts executed by a board of supervisors with the authorities of the county of Kings for the reception into the penitentiary of said county of persons sentenced to imprisonment in a county jail or penitentiary, and to authorize the payment of claims arising thereunder" (Int. No. 478), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur).^a That a respectful message be sent to the Assembly, requesting the return of Assembly bill No. 444 (Senate reprint No. 988), entitled "An act to amend the Greater New York charter, being chapter 378 of the Laws of 1897, as amended, relative to acquiring lands for public purposes" (Rec. No. 153), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 520, entitled "An act to legalize, ratify and confirm certain contracts executed by a board of supervisors with the authorities of the county of Kings for the reception into the penitentiary of said county of persons sentenced to imprisonment in a county jail or penitentiary, and to authorize the payment of claims arising thereunder" (Int. No. 478), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 1770, entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues approaching the bridge over the Gowanus canal at Hamilton avenue, borough of Brooklyn, in the city of New York" (Int. No. 425), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan,

mayor of the city of New York, returning Assembly bill No. 435, Senate reprint No. 637, entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to the payment of money collected by marshals" (Int. No. 414), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 188, Senate reprint No. 806, entitled "An act to amend the Greater New York charter, relative to the classification and instruction of criminals and misdemeanants" (Int. No. 188), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 66, entitled "An act authorizing the police commissioner of the city of New York to appoint John W. Pinkley, an ex-police-man of the city of New York, who resigned from said police department, November 24, 1897" (Int. No. 66), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George B. McClellan, mayor of the city of New York, returning Assembly bill No. 65, entitled "An act authorizing the board of estimate and apportionment of the city of New York to take proof of and pay the claim of Alfred C. Brainard, as surviving partner of E. D. Brainard and Sons, for two certain geyser fountains furnished to the city of New York" (Int. No. 65), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, April 11, 1905.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1203, entitled "An act authorizing the town of Islip, in the county of Suffolk, to acquire a site and building for town purposes, and to borrow money therefor." (Int. No. 992.)

FRANK W. HIGGINS.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, April 11, 1905.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 610, entitled "An act to amend the Poor Law, relating to the relief of soldiers, sailors and their families." (Int. No. 407.)

FRANK W. HIGGINS.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, April 11, 1905.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 520, entitled "An act to legalize, ratify and confirm certain contracts executed by a board of supervisors with the authorities of the county of Kings for the reception into the penitentiary of said county of persons sentenced to imprisonment in a county jail or penitentiary, and to authorize the payment of claims arising thereunder." (Int. No. 478.)

FRANK W. HIGGINS.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, April 11, 1905.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 721,

entitled "An act to amend the Revised Statutes relative to the parole of prisoners." (Int. No. 641.)

FRANK W. HIGGINS.

The Senate returned the bill (No. 1797) entitled "An act to provide for the construction and maintenance of a sanitary trunk sewer and sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor" (Int. No. 531), with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit certified copies thereof to the mayors of the cities of Yonkers and Mt. Vernon.

The Senate returned the bill (No. 1461) entitled "An act to amend the Forest, Fish and Game Law as to the close season for trout" (Int. No. 1175), with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. McKeown offered for the consideration of the House a resolution, in the words following:

This Assembly learns with profound regret of the death of Hon. William J. Plant, of Brooklyn, N. Y. Mr. Plant served with distinction as a member of this House in the years 1892-1894, inclusive. In his death the county of Kings and the State of New York have sustained the loss of an upright, honored and respected citizen and public officer. We extend to the family of the deceased our sincere and heartfelt sympathy in their bereavement.

Resolved, That out of respect to the memory of Hon. William J. Plant, this House do now adjourn and that a copy of these resolutions, suitably engrossed, be transmitted to the family of the deceased.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative and the House adjourned.

WEDNESDAY, APRIL 12, 1905.

The House met pursuant to adjournment.

Prayer by Rev. A. H. Lucas.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with and the same was approved.

The privileges of the floor were extended to Hon. George Green and Mr. Maurice Deiches.

The Senate sent for concurrence the following entitled bills:

“An act to provide for the publication of the Forest, Fish and Game Law as amended ” (No. 567, Rec. No. 287), which was read the first time and referred to the committee on fisheries and game.

“An act to amend the County Law relating to matrons in county jails ” (No. 1075, Rec. No. 288), which was read the first time and referred to the committee on internal affairs.

“An act to amend the Labor Law relating to children working in streets and public places in cities of the first and second classes ” (No. 1068, Rec. No. 289), which was read the first time and referred to the committee on labor and industries.

“An act to release to Walter Miller and Mary J. Miller, his wife, all the right, title and interest of the people of the State of New York in and to certain real estate ” (No. 1033, Rec. No. 290), which was read the first time and referred to the committee on claims.

“An act to amend the Forest, Fish and Game Law, relative to destruction of nets ” (No. 830, Rec. No. 291), which was read the first time and referred to the committee on fisheries and game.

“An act to amend section 2 of chapter 440 of the Laws of 1896, entitled ‘An act to facilitate the identification of criminals.’ by increasing the amount to be spent annually to carry out the provisions of said act ” (No. 243, Rec. No. 292), which was read the first time and referred to the committee on State prisons.

“An act to provide for the acquisition of additional land for the Rensselaerwyck rifle range, and making an appropriation

therefor " (No. 402, Rec. No. 293), which was read the first time and referred to the committee on ways and means.

"An act creating a commission to inquire as to the most practical method of providing modern prison buildings " (No. 437, Rec. No. 294), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter 909 of the Laws of 1896, being an act entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' passed May 27, 1896, by adding thereto an additional article to be known as article 9 " (No. 606, Rec. No. 295), which was read the first time and referred to the committee on the judiciary.

"An act to release to Bridget McDonough, the right, title and interest of the people of the State of New York acquired by escheat, in and to certain real estate situate in the city of Schenectady " (No. 816, Rec. No. 296), which was read the first time and referred to the committee on claims.

"An act to amend section 41-n of chapter 676, of the Laws of 1881, being an act entitled 'An act to establish a Penal Code,' as amended by chapter 885 of the Laws of 1895 " (No. 599, Rec. No. 297), which was read the first time and referred to the committee on codes.

"An act for the promotion of agriculture and making an appropriation therefor " (No. 158, Rec. No. 298), which was read the first time and referred to the committee on ways and means.

"An act to authorize trustees of the village of Sag Harbor, Suffolk county, to construct and maintain a wharf in such village " (No. 1024, Rec. No. 299), which was read the first time and referred to the committee on affairs of villages.

"An act to amend the Greater New York charter relative to employees of ferries " (No. 1184, Rec. No. 300), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Village Law, in relation to the borrowing of money for certain purposes " (No. 1146, Rec. No. 301), which was read the first time and referred to the committee on affairs of villages.

"An act to authorize the city of New Rochelle to borrow money for street improvements and issue bonds therefor" (No. 841, Rec. No. 302), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the charter of the city of New Rochelle in relation to the assessors" (No. 1133, Rec. No. 303), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the supervisor or supervisors of certain towns in the county of Westchester, to invest moneys received by the said towns from the city of New York, in payment of damages for highways or bridges taken by said city, in connection with the acquisition of certain lands for its water supply" (No. 1046, Rec. No. 304), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers'" (No. 745, Rec. No. 305), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the city of Watertown to borrow money for current municipal expenses arising in relation to the Roswell P. Flower Memorial Library, the maintenance and repair of school buildings and highways, the construction, maintenance and repair of sewers, and to pay temporary deficiencies in the funds of the board of education and the board of public safety, and to issue therefor certificates of indebtedness" (No. 1028, Rec. No. 306), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 20 of the Laws of 1900, entitled 'An act for the protection of the forest, fish and game of the State, constituting chapter 31 of the general laws.'" (No. 576, Rec. No. 307), which was read the first time and referred to the committee on fisheries and game.

"An act to amend the Greater New York charter, relative to the powers of borough presidents in relation to tunnels or passageways under public streets" (No. 927, Rec. No. 308), which

was read the first time and referred to the committee on affairs of cities.

“An act to amend the County Law, relative to the salary of the county judge of Greene county ” (No. 1104, Rec. No. 309), which was read the first time and referred to the committee on internal affairs.

“An act to authorize the city of Buffalo to construct a storm-water drain in said city and in the village of Sloan, to issue bonds therefor, and to permit said village to discharge sewage into sewers of said city ” (No. 957, Rec. No. 310), which was read the first time and referred to the committee on affairs of cities.

“An act empowering the Armory Commission to convey to the city of Buffalo certain lands and premises in said city occupied as an armory by the Sixty-fifth Regiment of the National Guard, and releasing the interest of the State in said lands and premises to said city of Buffalo ” (No. 488, Rec. No. 311), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the State Printing Law in relation to qualifications of contractors ” (No. 925, Rec. No. 312), which was read the first time and referred to the committee on public printing.

“An act to amend the Greater New York charter, providing for the appointment by the board of health of the city of New York, of a chief medical examiner and medical examiners, and prescribing their powers and duties; creating a bureau of medical examiners in the department of health, abolishing the office of coroner in the city of New York upon the expiration of the terms of office of the coroners now in office in said city, and providing for the performance of the powers and duties exercised by the coroners in such city ” (No. 1136, Rec. No. 313), which was read the first time and referred to the committee on affairs of cities.

“An act to authorize the board of trustees of the village of Salamanca, Cattaraugus county, to appoint a board of water commissioners ” (No. 1078, Rec. No. 314), which was read the first time and referred to the committee on affairs of villages.

"An act to amend the Railroad Law in relation to abandonment of parts of routes " (No. 617, Rec. No. 315), which was read the first time and referred to the committee on railroads.

"An act to amend the Railroad Law relative to grants to railroad corporations by the Commissioners of the Land Office to facilitate changes of grade " (No. 618, Rec. No. 316), which was read the first time and referred to the committee on railroads.

"An act to amend the Railroad Law in relation to the incorporation and powers of railroad corporations " (No. 877, Rec. No. 317), which was read the first time and referred to the committee on railroads.

"An act to amend the Labor Law relative to the evidence of age of minor employees in factories, mercantile and other establishments " (No. 713, Rec. No. 318), which was read the first time and referred to the committee on labor and industries.

"An act to amend the County Law, relating to the salary of the county judge and surrogate of Broome county " (No. 940, Rec. No. 319), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter 614 of the Laws of 1887 relating to the police pension fund of the city of Rochester " (No. 1131, Rec. No. 320), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Stock Corporations Law, in relation to alterations or extension of business " (No. 1005, Rec. No. 321), which was read the first time and referred to the committee on the judiciary.

"An act to release to Philip C. Rand all the right, title and interest of the people of the State of New York in and to certain real estate in the town of Pittsford, in the county of Monroe, in the State of New York " (No. 871, Rec. No. 322), which was read the first time and referred to the committee on claims.

"An act to amend chapter 524 of the Laws of 1894, entitled 'An act to establish a pension fund for the paid fire department of the city of Rochester' " (No. 1132, Rec. No. 323), which was

read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' authorizing the city of Niagara Falls to issue sewer bonds, and to legalize sewer bonds of said city already issued, and to provide for the payment of certain deficiencies in the city funds existing on January 1, 1905" (No. 1052, Rec. No. 324), which was read the first time and referred to the committee on affairs of cities.

"An act to incorporate the Niagara Frontier Bridge Company" (No. 973, Rec. No. 325), which was read the first time and referred to the committee on general laws.

"An act to amend subdivision 7 of section 12 of the Municipal Court Act of the city of New York, relative to designation and rotation of judges" (No. 847, Rec. No. 326), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 517 of the Code of Criminal Procedure, entitled "In what cases appeal may be taken by defendant" (No. 926, Rec. No. 327), which was read the first time and referred to the committee on codes.

"An act to amend the Poor Law by requiring monthly reports from county superintendents of the poor, overseers of the poor and other officials, to the State Board of Charities with relation to children placed in family homes (No. 1094, Rec. No. 328), which was read the first time,

On motion of Mr. Bird, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Bird, and by unanimous consent, said bill was substituted for Assembly bill No. 2040, Int. No. 1355, same title and subject, now on the order of third reading.

On motion of Mr. Bird, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

"An act to repeal article 4 of the Navigation Law relating to the port of Albany" (No. 666, Rec. No. 329), which was read the

first time and referred to the committee on commerce and navigation.

“An act to amend chapter 435 of the Laws of 1875, entitled ‘An act to consolidate the Albany City Dispensary with the Albany City Homeopathic Hospital’ to enlarge the power of the hospital to take and hold property” (No. 1185, Rec. No. 330), which was read the first time and referred to the committee on affairs of cities.

“An act in relation to the equalization of the salaries of attendants of the Supreme Court in the First Judicial District and the Appellate Division thereof in the First Department, and the court of general sessions of the peace in and for the county of New York” (No. 67, Rec. No. 331), which was read the first time and referred to the committee on the judiciary.

“An act to authorize the board of assessors of the city of New York to determine and allow the damage sustained by owners of real property in the borough of Manhattan, city of New York, by reason of the construction of the viaduct in Riverside avenue over West Ninety-sixth street” (No. 1183, Rec. No. 332), which was read the first time and referred to the committee on affairs of cities.

“An act to extend the time of the New York Connecting Railroad Company to finish its road and put the same in operation” (No. 782, Rec. No. 333), which was read the first time and referred to the committee on railroads.

“An act to extend the time of the New York Connecting Railroad Company to commence and complete the construction of its bridge across the East river, as authorized by chapter 752 of the Laws of 1900” (No. 124, Rec. No. 334), which was read the first time and referred to the committee on affairs of cities.

“An act to amend ‘An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws’” (No. 1030, Rec. No. 335), which was read the first time and referred to the committee on excise.

"An act to amend the Forest, Fish and Game Law, in relation to the sale of trout " (No. 247, Rec. No. 336), which was read the first time and referred to the committee on fisheries and game.

"An act to amend the Greater New York charter in relation to buildings in the city of New York " (No. 1064, Rec. No. 337), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Penal Code in relation to crimes against the elective franchises " (No. 1054, Rec. No. 338), which was read the first time and referred to the committee on codes.

"An act to amend the Banking Law in relation to the amount which a bank or trust company may loan to any person, company, corporation or firm " (No. 1086, Rec. No. 339), which was read the first time and referred to the committee on banks.

"An act to amend the Banking Law, in relation to withdrawal of free shares of cooperative savings and loan associations " (No. 1116, Rec. No. 340), which was read the first time and referred to the committee on banks.

"An act to amend the Banking Law in relation to capital and shares of cooperative savings and loan associations " (No. 1117, Rec. No. 341), which was read the first time and referred to the committee on banks.

"An act to amend the Banking Law in relation to profits and losses of cooperative savings and loan associations " (No. 431, Rec. No. 342), which was read the first time and referred to the committee on banks.

"An act authorizing the commissioners of the land office to transfer and convey to the 'Onondaga Chapter, Daughters of the American Revolution,' a corporation, the land and rights of way situate in the town of Onondaga, conveyed by Cornelius Longstreet and wife to the people of the State of New York for the purpose of erecting an arsenal " (No. 971, Rec. No. 343), which was read the first time and referred to the committee on ways and means.

Mr. Dodd introduced a bill entitled "An act to amend the Municipal Court Act of the city of New York with reference to

the return on appeal " (Int. No. 1473), which was read the first time and referred to the committee on affairs of cities.

Mr. Fitzsimons introduced a bill entitled "An act to regulate inspection, installation, alteration and operation of elevators in the city of New York " (Int. No. 1474), which was read the first time and referred to the committee on affairs of cities.

Mr. C. R. Matthews introduced a bill entitled "An act to release to Sophie Demers, widow of Joseph Demers, all the right, title and interest of the people of the State of New York in and to certain real estate situated in the town of Altamont, county of Franklin and State of New York, acquired by escheat or otherwise on the death of said Joseph Demers " (Int. No. 1475), which was read the first time and referred to the committee on claims.

Mr. Waddell introduced a bill entitled "An act to release to Eugene Coman, all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Luzerne, Warren county and State of New York " (Int. No. 1476), which was read the first time and referred to the committee on claims.

By unanimous consent,

Mr. Hammond introduced a bill entitled "An act to amend chapter 182 of the Laws of 1898 entitled 'An act for the government of cities of the second class ' relative to police pension fund and firemen's pension fund " (Int. No. 1477), which was read the first time.

On motion of Mr. Hammond, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

Mr. Wilsnack introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Wynhoop-Hallenbeck-Crawford company against the State for printing done and materials furnished, and for interest due upon said claim, and to render judgment therefor " (Int. No. 1478), which was read the first time and referred to the committee on claims.

Mr. Sheldon introduced a bill entitled "An act to amend chapter 415 of the Laws of 1897, constituting chapter 32 of the general laws, relative to fire drills in factories and providing for the appointment of additional factory inspectors and making an appropriation therefor" (Int. No. 1479), which was read the first time and referred to the committee on ways and means.

By unanimous consent,

Mr. Stanley introduced a bill entitled "An act to amend chapter 621 of the Laws of 1896, entitled 'An act in relation to the jurisdiction of the department of public parks in the city of New York over certain streets in said city,' as amended by chapter 319 of the Laws of 1897" (Int. No. 1480), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Wedemeyer introduced a bill entitled "An act providing for the publication of court calendars and legal notices in the second judicial district" (Int. No. 1481), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Hammond introduced a bill entitled "An act to amend the Labor Law relating to children working in streets and public places in cities of the first and second classes" (Int. No. 1482), which was read the first time.

On motion of Mr. Hammond, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on labor and industries.

Mr. La Fetra introduced a bill entitled "An act to amend the Greater New York charter, in relation to license for hoisting, etc." (Int. No. 1483), which was read the first time.

On motion of Mr. La Fetra, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Kehoe, Rec. No. 190, entitled "An act to authorize and empower the board of assessors of the city of New York to estimate and allow the

damages sustained by the owners of real property fronting upon the streets approaching the new bridge across Gowanus canal at Third street, in the borough of Brooklyn, city of New York" (No. 647), reported in favor of the passage of the same with the following amendment:

Page 2, lines 12 and 13, strike out the words "special revenue bonds" and insert in place thereof the words "corporate stock."

JEAN L. BURNETT,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Lewis, Rec. No. 233, entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to fees received by an officer of a city government" (No. 353), reported in favor of the passage of the same with the following amendment:

Page 1, line 5, after the word "counsel," insert the words "a justice of a city court acting as clerk of said court."

JEAN L. BURNETT,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Wade, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Reeve, Int. No. 178, entitled "An act to amend the Tax Law in relation to the transfer tax clerk of Suffolk county" (No. 179), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wade, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. La Fetra, Int. No. 430, entitled "An act to amend the Tax Law, relative to property exempt from taxation" (No. 459), reported in favor of

the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wade, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Knapp, Int. No. 1105, entitled "An act to authorize the Comptroller to hear and determine the application of John Ruffrange for the redemption of a portion of lot No. 55 in the town of Clinton, Clinton county, from the sale thereof by the Comptroller for unpaid taxes in the year 1881" (No. 1364), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wade, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Knapp, Int. No. 1197, entitled "An act providing for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 1, town of Dannemora, in the county of Clinton" (No. 1531), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wade, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Saxe, Rec. No. 275, entitled "An act to amend the Tax Law in relation to proceedings or suits brought to collect personal taxes in arrears" (No. 423), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Yale, Int. No. 1164, entitled "An act to amend the Highway Law relative to extraordinary repairs of highways and bridges" (No. 1450), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Steele, Int. No. 1405,

entitled "An act providing for the payment of certain notes and indebtedness of the town of Frankfort, county of Herkimer, and authorizing the issue of town bonds for such purposes" (No. 1934), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Wadsworth, Int. No. 1408, entitled "An act to amend chapter 79 of the Laws of 1904, entitled 'An act authorizing the town board of the town of Caledonia, Livingston county, to pay the board of trustees of the village of Caledonia, in such county, a certain sum annually toward the salary of a village policeman'" (No. 1937), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. Merritt, Int. No. 1404, entitled "An act to legalize the acts of William McCormick, a justice of the peace of the town of Potsdam, county of St. Lawrence" (No. 1933); reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hooker, from the committee on internal affairs, to which was referred the bill introduced by Mr. E. E. Charles, Int. No. 1417, entitled "An act to legalize the acts of Lyman C. Broughton, a coroner of the county of Wyoming, and to permit him to file his oath of office" (No. 1953), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Patton, from the committee on canals, to which was referred the bill introduced by Mr. Patton, Int. No. 1386, entitled "An act to repeal section 51 of the Public Lands Law, relating to preferences to original owners on sales of abandoned canal lands" (No. 1905), reported in favor of the passage of the same

without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cadin, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Reilly, Int. No. 716, entitled "An act requiring the removal of obstructions from State street in the borough of Brooklyn and from the East river adjacent thereto" (No. 802), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cadin, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. Davis, Rec. No. 85, entitled "An act to amend chapter 397 of the Laws of 1890, entitled 'An act to incorporate the River Bridge Company,' relative to extension of charter" (No. 308), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cadin, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. McEwan, Rec. No. 179, entitled "An act to amend section 8 of chapter 146 of the Laws of 1856, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany'" (No. 890), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cadin, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. Marks, Rec. No. 167, entitled "An act requiring the stanchions, deck beams and frames to be of iron or steel, in all steam vessels and barges hereafter constructed, engaging in excursions from cities having a population of 1,000,000 inhabitants or over" (No. 762), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cadin, from the committee on commerce and navigation, to which was recommitted the bill introduced by Mr. Hackett,

Int. No. 1121, entitled "An act for the relief of Thomas Conley" (No. 1388), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Cadin, from the committee on commerce and navigation, to which was recommitted the bill introduced by Mr. Rigby, Int. No. 717, entitled "An act compelling steamboat corporations to provide transfer facilities for passengers" (No. 1857), retaining its place on the order of third reading, reported in favor of the passage of the same with the following amendment:

In the title, after the word "corporations," insert the words "and railroad corporations."

MARTIN L. CADIN,
Chairman.

Which report was agreed to and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Wainwright, from the committee on public education, to which was referred the bill introduced by Mr. Gates, Int. No. 1085, entitled "An act to amend chapter 560 of the Laws of 1902, relative to the department of public instruction in cities of the second class" (No. 1290), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Plank, from the committee on excise, to which was referred the bill introduced by Mr. Brooks, Int. No. 108, entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter 29 of the general laws and the several acts amendatory thereof and supplementary thereto, in relation to penalties'" (No. 108), reported the same for the consideration of the House without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Plank, from the committee on excise, to which was referred the Senate bill introduced by Mr. Raines, Rec. No. 182, entitled

“An act to amend ‘An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,’” (No. 856), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Coon, from the committee on agriculture, to which was re-committed the bill introduced by Mr. Merritt, Int. No. 918, entitled “An act to amend the Agricultural Law, relative to baking powder” (No. 1515), retaining its place on the order of third reading, reported in favor of the passage of the same with the following amendment:

Page 4, line 1, after the word “powder” insert the words “hereafter manufactured.”

ABRAM S. COON,
Chairman.

Which report was agreed to and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Reeve, from the committee on fisheries and game, to which was re-committed the bill introduced by Mr. Plank, Int. No. 1307, entitled “An act to amend the Forest, Fish and Game Law, in relation to fires to clear land” (No. 2037), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Reeve, from the committee on fisheries and game, to which was re-committed the bill introduced by Mr. Wilson, Int. No. 911, entitled “An act to amend the Forest, Fish and Game Law, relative to taking fish with nets in Lake Ontario” (No. 1092), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Reeve, from the committee on fisheries and game, to which

was referred the Senate bill introduced by the committee on fisheries and game, Rec. No. 243, entitled "An act to amend the Forest, Fish and Game Law, in relation to the duties of the superintendent of forest fire wardens and game protectors" (No. 819), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Mead, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Mead, Int. No. 1376, entitled "An act to amend chapter 435 of the Laws of 1875, entitled 'An act to consolidate the Albany City Dispensary with the Albany City Homeopathic Hospital' to enlarge the power of the hospital to take, hold and mortgage property" (No. 1888), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Mead, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Page, Int. No. 274, entitled "An act to authorize the New York State Convention of Universalists to sell and convey property owned by it on Hoffman street in the borough of the Bronx, in the city of New York" (No. 953), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hammond, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to amend the Forest, Fish and Game Law, relative to the close season." (No. 1969, Int. No. 897.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James W. Watts against the State of New York, for damages alleged to have been sustained by him and to render judgment therefor." (No. 2004, Int. No. 214.)

"An act to confer jurisdiction upon the Court of Claims to

hear, audit and determine the alleged claim of James Flynn against the State for damages alleged to have been sustained by him, and to render judgment therefor." (No. 2003, Int. No. 1267.)

"An act to incorporate the Hebrew Free Loan Association." (No. 1971, Int. No. 1067.)

"An act making appropriations for repairs, renewals and betterments for the several State prisons, the Eastern New York Reformatory, the Matteawan State Hospital for Insane Criminals and the Dannemora State Hospital for Insane Convicts." (No. 2008, Int. No. 735.)

"An act authorizing the Supreme Court of the First Judicial District to entertain the petition of Augusta B. Frank to review certain actions taken by the board of education of the city of New York." (No. 2035, Int. No. 1176.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the owners of certain lands in township No. 5, Brown's tract, Herkimer county, against the State for damages alleged to have been sustained by them, and to render judgment therefor." (No. 2007, Int. No. 1269.)

"An act providing for a pension for Michael Strohm, a former member of the State militia, directing the Adjutant-General to place his name upon the roll of invalid pensioners of this State, and making an appropriation for the payment of such pension." (No. 1970, Int. No. 1337.)

"An act making appropriations for construction, additions and improvements at the State hospitals for the insane, and for the construction of a reception hospital in the city of New York." (No. 1998, Int. No. 1436.)

"An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of Thomas Clark against the State of New York for damages alleged to have been sustained by him by injuries to his canal boat at lock No. 64 on the Erie canal, on or about August 20, 1903." (No. 2001, Int. No. 1052.)

"An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of John P. Smith against the State of New York for damages alleged to have been sustained by him by injuries to his canal boats at the Fort Herkimer lock No. 41 on the Erie canal, on or about the 5th of May, 1903." (No. 2002, Int. No. 1053.)

"Senate concurrent resolution proposing amendments to section 2 of article 1 of the Constitution relating to trial by jury." (No. 2030, Rec. No. 67.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1842) entitled "An act to amend the Banking Law, relative to security for loans made by cooperative savings and loan associations" (Int. No. 547), reported the same with the following amendments and recommendations, by order of the House:

Page 1, line 3, insert quotation marks after the word "corporations."

Same page, line 4, strike out the words "constituting chapter thirty-seven of the general laws."

Page 4, line 24, strike out the word "sixty" and insert the word "seventy-five."

Page 5, line 1, strike out the word "are" and insert the word "is."

Same page, line 5, after the word "purposes" insert the words "on the divided mortgage plan."

Same page, line 9, strike out the brackets and the word "ten."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1968) entitled "An act to amend the Liquor Tax Law in relation to special deputy commissioners, excise taxes, local option, persons who shall not traffic in liquors, cancellation proceedings, injunction proceedings, special liquor tax certificates, convictions, and reports and fees of county clerks"

(Int. No. 1332), reported the same with the following recommendations:

Insert a comma in second line of title after the word "law."

Page 1, line 5, after the word "laws" insert the words "as amended by chapter three hundred and twelve of the laws of eighteen hundred and ninety-seven."

Page 5, line 5, after the word "of" insert the word "said;" after the word "chapter" insert a comma and strike out the words "one hun-."

Same page, strike out all of lines 6, 7, 8, 9, 10 and 11.

Same page, line 12, strike out the words "of the laws of nineteen hundred and three and;" after the word "as" strike out the word "amended" and insert the word "inserted."

Page 6, line 17, after the first word "of" insert the word "said," and strike out the words "one hundred and twelve of the."

Same page, line 18, strike out the words "laws of eighteen hundred and ninety-six."

Page 12, line 5, after the word "of" insert the word "said;" after the word "chapter" insert a comma, and strike out the words "one hundred and twelve."

Same page, strike out all of line 6, before the word "as."

Page 14, line 19, after the second word "of" insert the word "said," and strike out the word "one" at end of line.

Same page, strike out all of line 20.

Same page, line 21, strike out the word "six."

Page 22, line 11, after the word "of" insert the word "said," and strike out the words "one hundred and twelve."

Same page, strike out all of line 12 before the word "as."

Page 23, line 5, after the word "based" insert a period in brackets.

Page 25, line 15, after the word "of" insert the word "said," and strike out the words "one hundred and twelve."

Same page, strike out all of line 16 before the word "as."

Page 26, line 20, strike out the word and brackets "[subdivision]."

Page 30, line 16, strike out the word "exception" and insert the word "exceptions."

Page 33, line 19, after the first word "of" insert the word "said;" and strike out the words "one hundred and twelve of."

Same page, line 20, strike out all of line before the word "as."

Page 34, line 25, after the first word "of" insert the word "said," and strike out the words "one hundred and twelve of."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

"An act to amend chapter 44 of the Laws of 1853, entitled 'An act for the better support of the poor in the town of Newburgh in the county of Orange,' in relation to the corporate name and terms of the commissioners of the almshouse." (No. 2011, Int. No. 382.)

"An act to amend the Real Property Law, relative to the postponement or subordination of liens upon real property." (No. 2009, Int. No. 210.)

"An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' relative to jurors." (No. 2013, Int. No. 1211.)

"An act to amend the Liquor Tax Law, in relation to two violations of the law during term of one certificate." (No. 2014, Int. No. 1128.)

"An act to amend section 727 of the Greater New York charter, relative to the power of the fire commissioner." (No. 1996, Int. No. 666.)

"An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' authorizing the city of Niagara Falls to issue sewer bonds, and to legalize sewer bonds of said city already issued, and to provide for the payment of certain deficiencies in the city funds existing on January 1, 1905." (No. 2017, Int. No. 1284.)

"An act to amend chapter 357 of the Laws of 1903, entitled

‘An act to provide for the payment of a salary to Frederick A. King, probation officer in the city magistrates’ courts of the first division, of the city of New York,’ relative to payment of salary to said Frederick A. King’s successor or substitute.” (No. 2018, Int. No. 313.)

“An act to amend chapter 441 of the Laws of 1899, entitled ‘An act to create a commissioner of jurors in the several counties of this State,’ in relation to Oneida county.” (No. 2019, Int. No. 1356.)

“An act to amend the State Charities Law, by providing for the management of the New York State Training School for Boys, and the commitment thereto of boys under the age of 16 years.” (No. 2012, Int. No. 1173.)

“An act to provide for the licensing of engineers and firemen operating a steam stationary engine or engines, steam stationary boiler or boilers in the State of New York in cities, excepting cities of the first class.” (No. 2015, Int. No. 706.)

“An act to amend the Liquor Tax Law, in relation to the violation and the penalties for a violation of such law twice during the term of any one certificate.” (No. 2016, Int. No. 1129.)

“An act to amend the Public Health Law, in relation to the relief of indigent Indians in case of epidemic.” (No. 2027, Int. No. 291.)

“An act to amend the Code of Civil Procedure, in relation to the jurisdiction of the Court of Claims.” (No. 2029, Int. No. 682.)

“An act to amend the Village Law, in relation to village elections.” (No. 2028, Int. No. 592.)

“An act to amend chapter 4 of the Laws of 1891, entitled ‘An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,’ relative to the construction of elevated railways in city streets.” (No. 2020, Int. No. 507.)

“An act to amend the Code of Criminal Procedure, relative to the persons who may be present during the sessions of a grand jury.” (No. 2010, Int. No. 450.)

“An act to amend chapter 506 of the Laws of 1902, entitled ‘An act to amend the charter of the village of Saratoga Springs

and to provide for the appointment of sewer, water and street commissioners for said village and to prescribe their powers and duties." (No. 1997, Rec. No. 204.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Brown against the State of New York, for damages to the canal boat Maggie Mills at the city of Utica, on or about the 25th day of June, 1903." (No. 1347, Int. No. 1096.)

"An act to locate and designate a site for a public library in the borough of Brooklyn upon lands owned by the city of New York." (No. 1913, Int. No. 935.)

"An act authorizing the towns of Louisville, Madrid and Waddington, in the county of St. Lawrence, to issue bonds for the payment of the cost of the construction of a bridge over De Grasse river, and of the costs of legal proceedings in respect to such bridge, and for certain other purposes." (No. 1897, Int. No. 1385.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Syracuse against the State for unpaid assessments for local improvements charged by said city against the State on account of lands owned by it within said city and for the amount alleged to be due thereon and to render judgment therefor." (No. 1533, Int. No. 1199.)

"An act relating to the acquisition of property by the city of New York for a water supply, and providing for prompt payment therefor, and for damages occasioned by the acquisition thereof; providing for use and care of reservoirs owned by said city; and providing for the construction and maintenance of highways and bridges." (No. 1972, Int. No. 1318.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William Hill against the State of New York, for salary due him for services rendered to the State of New York while employed as purchasing steward's clerk in the office of Mr. F. A. Wheeler, purchasing steward for the Long Island and Manhattan State Hospitals, under civil service appointment." (No. 1862, Int. No. 1364.)

"An act to authorize the board of trustees of the village of Salamanca, Cattaraugus county, to appoint a board of water commissioners." (No. 1784, Int. No. 1334.)

"An act to prohibit the construction of any railroad on Livingston street in the borough of Brooklyn in the city of New York." (No. 1864, Int. No. 1366.)

"An act to amend the State Charities Law, in relation to autopsies at Craig Colony for Epileptics." (No. 1946, Int. No. 458.)

"An act to amend chapter 823 of the Laws of 1895, entitled 'An act to regulate barbering on Sunday,' in relation to the borough of Richmond." (No. 1744, Int. No. 1315.)

"An act to authorize the Supreme Court to hear and determine any application made to revise and correct the first separate report of the commissioners of appraisal appointed in proceedings instituted by the city of New York to acquire title to lands for St. Nicholas park and to grant in respect thereto such relief as may be just and equitable." (No. 1177, Int. No. 979.)

"An act to amend chapter 168 of the Laws of 1894, entitled 'An act in relation to the State dams on the Beaver and Moose rivers,' in relation to the commissioners appointed thereby." (No. 1820, Int. No. 1353.)

"An act to amend the Stock Corporations Law in relation to the power to borrow money and mortgage property." (No. 1746, Int. No. 1317.)

"An act to provide for the expense of widening Livingston street in the borough of Brooklyn, in the city of New York." (No. 1866, Int. No. 1368.)

"An act to amend the County Law, relating to county jails." (No. 864, Int. No. 749.)

"An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville,' relating to city elections and city officers." (No. 1890, Int. No. 1378.)

"An act to provide for the representation of the State of New York at the Lewis and Clark Centennial Exposition, at Portland, Ore., and reappropriating money heretofore appropriated for such purpose." (No. 894, Int. No. 783.)

“An act to amend section 11 of title 6 of chapter 635 of the Laws of 1895, entitled ‘An act to revise the charter of the city of Yonkers,’ as amended by chapter 241 of the Laws of 1899, as amended by chapter 477 of the Laws of 1903.” (No. 1808, Int. No. 1341.)

“An act to change the name of ‘The Lockport Home for the Friendless’ to ‘The Home for the Friendless of Lockport.’” (No. 1671, Int. No. 1291.)

“An act to amend chapter 381 of the Laws of 1899, entitled ‘An act relating to attendants upon the Supreme Court and county court in and for the county of Monroe,’ in relation to the salary of such attendants.” (No. 1803, Int. No. 1336.)

“An act to incorporate Phipps Houses.” (No. 1828, Int. No. 1361.)

“An act for the relief of the minor daughter of Joseph Parker, a volunteer fireman, whose death resulted from injuries received by him while in the actual performance of his duties, and while a member of Granite Hook and Ladder Company No. 2, a volunteer fire company of the city of New York.” (No. 1783, Int. No. 1333.)

Mr. Tompkins offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on railroads be discharged from the further consideration of Senate bill No. 205, entitled “An act to amend the Railroad Law, in relation to the protection of street railroad employees in Manhattan and Brooklyn.” (Rec. No. 111.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

AYES 35

NOES 55

Those who voted in the affirmative were:

Allen J G	Etzel	La Fetra	Prince	Tompkins
Bird	Fitzsimons	Maier	Reilly	Wagner
Byrne	Francisco	Mathews T F	Rosenstein	Wainwright
Carrier	Fulle	Miller	Salomon	Wedemeyer
Cooke	Grady	Nugent	Sherry	Wiegand

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Dodd	Hackett	Palmer	Smith A E	Wilson
Donovan	Kavanaugh	Pendry	Smith R H	Wolf

Those who voted in the negative were:

Allen F E	Coon	Hubbs	Phillips	Smith J E
Bass	Cotton	Hurd	Plank	Smith J T
Bedell	Coutant	Knapp	Platt	Stanley
Beebe	Cox	Leggett	Prentice	Tenjost
Beihilf	Dowling	Lewis	Reeve	Wade
Brady	Gardner	McKeown	Rogers	Whitney G H
Brooks	Grattan	Merritt	Santee	Wilsnack
Burnett	Hammond	Murphy	Schoeneck	Wood F C
Cadin	Hanford	O'Neill	Scovill	Wood F X
Charles E E	Hooker	Parker	Sheldon	Yale
Charles W B	Hooper	Patton	Shuttleworth	Young

The bill (No. 1949) entitled "An act to amend sections 43, 44, 47 and 242 of the Greater New York charter, with reference to the respective powers and duties of the board of estimate and apportionment and board of aldermen" (Int. No. 1288), having been announced for a second reading,

On motion of Mr. Stanley, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1948) entitled "An act to amend sections 17, 28, 41, 43, 44, 45, 47, 48, 50, 72, 73, 74, 75 and 242 of the Greater New York charter, with respect to the powers of the board of aldermen and the board of estimate and apportionment" (Int. No. 1273), having been announced for a second reading,

On motion of Mr. Stanley, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1947) entitled "An act to further amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Int. No. 1287), having been announced for a second reading,

On motion of Mr. Stanley, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1441) entitled "An act to amend chapter 632 of the Laws of 1903, entitled 'An act to regulate the practice of barbering in the State of New York; to establish a State Board of Barber Examiners, and to provide for the sanitary inspection of barber shops,' in relation to the renewal of certificates of registration and qualification, return of moneys, apprentices and sub-boards" (Int. No. 1155), was read the second time.

On motion of Mr. Hartman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1831) entitled "An act to amend the Railroad Law relative to percentage of gross receipts to be paid by street surface railroads in cities or villages" (Int. No. 946), having been announced for a second reading,

On motion of Mr. Dale, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 2005) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof and supplementary thereto, in relation to the common council and to the nomination and election of members thereof" (Int. No. 1120), having been announced for a second reading,

On motion of Mr. Cox, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1503) entitled "An act to amend the Forest, Fish and Game Law, in relation to the compensation of game protectors and the disposition of proceeds of actions" (Int. No. 1194), was read the second time.

On motion of Mr. F. C. Wood, said bill was placed on the order of third reading.

On motion of Mr. F. C. Wood, said bill was recommitted to the committee on ways and means, retaining its place on the order of third reading.

The Senate bill (No. 315, Assembly reprint No. 2031) entitled "An act to amend the Civil Service Law, in relation to veterans" (Rec. No. 154), was read the second time,

On motion of Mr. Prentice, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2032) entitled "An act to amend the Town Law, in relation to shade trees and the appointment of a tree warden" (Int. No. 688), was read the second time.

On motion of Mr. Gray said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2033) entitled "An act to authorize the issuing of licenses to honorably discharged volunteer firemen of the State of New York for peddling, vending and selling merchandise within this State" (Int. No. 1049), was read the second time.

On motion of Mr. Donovan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2034) entitled "An act to amend the Code of Civil Procedure in relation to certified public accounts" (Int. No. 1114), was read the second time.

On motion of Mr. Tompkins, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2036) entitled "An act to amend the Indian Law, in relation to the employment of a physician, his compensation and duties" (Int. No. 912), was read the second time.

On motion of Mr. F. X. Wood, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2038) entitled "An act in relation to unpaid taxes, and sales for unpaid taxes in the towns, villages and school districts in the county of Richmond, as the same existed prior to January 1, 1898, the time of the taking effect of the Greater New York charter" (Int. No. 1314), was read the second time.

On motion of Mr. Wedemeyer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2039) entitled "An act to prohibit bucket shops and bucket-shopping within this State" (Int. No. 1347) was read the second time.

On motion of Mr. Yale, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2040) entitled "An act to amend the Poor Law by requiring monthly reports from county superintendents of the poor, overseers of the poor and other officials, to the State board of charities with relation to children placed in family homes" (Int. No. 1355), having been announced for a second reading,

On motion of Mr. Bird, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 2041) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to inferior courts of criminal jurisdiction " (Int. No. 986), was read the second time.

On motion of Mr. Cox, said bill was placed on the order of third reading.

On motion of Mr. Cox, said bill was laid aside, retaining its place on the order of third reading.

The Senate concurrent resolution (No. 163) entitled " Concurrent resolution of the Senate and Assembly proposing amendment to article 7 of the Constitution, relating to improvement of highways " (Rec. No. 106), was read the second time.

On motion of Mr. Ogden, said resolution was placed on the order of third reading.

The Senate bill (No. 915) entitled "An act to amend the Military Code relative to relief from civil or criminal liability, security for and award of costs " (Rec. No. 264), was read the second time.

On motion of Mr. Maier, said bill was placed on the order of third reading.

The Senate bill (No. 801) entitled "An act to further amend chapter 4 of the Laws of 1891 entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants " (Rec. No. 382), was read the second time.

On motion of Mr. Stanley, said bill was placed on the order of third reading.

The Senate bill (No. 1074) entitled "An act to amend sections 43, 44, 47 and 242 of the Greater New York charter, with reference to the respective powers and duties of the board of estimate and apportionment and the board of aldermen " (Rec. No. 281), was read the second time.

On motion of Mr. Stanley, said bill was placed on the order of third reading.

The Senate bill (No. 1048) entitled "An act to amend sections 17, 28, 41, 43, 44, 45, 47, 48, 50, 72, 73, 74, 75 and 242 of the Greater New York charter, with respect to the powers of the

board of aldermen and the board of estimate and apportionment" (Rec. No. 280), was read the second time.

On motion of Mr. Stanley, said bill was placed on the order of third reading.

The Senate bill (No. 1011) entitled "An act to amend chapter 531 of the Laws of 1884, entitled 'An act in relation to the office of the register of the city and county of New York,' relative to fees for official services" (Rec. No. 230), was read the second time.

On motion of Mr. Hornidge, said bill was placed on the order of third reading.

On motion of Mr. Hornidge, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Patton	Stanley
Allen F E	Cox	Hornidge	Pendry	Steele
Allen J G	Dale	Hubbs	Perry	Stevens
Anderson	Dodd	Hurd	Phillips	Tenlost
Bass	Donovan	Knapp	Platt	Thompson G F
Becker	Dowling	La Fetra	Pratt	Thompson J A
Beebe	Ellis	Leggett	Prentice	Thonet
Beihilf	Evans	Lewis	Prince	Tompkins
Bird	Everett	Machacek	Quinn	Waddell
Brady	Fish	Malloy	Reilly	Wagner
Brooks	Foelker	Mathews T F	Rogers	Wadsworth
Burnett	Foster	Matthews C R	Salomon	Wainwright
Burzynski	Francisco	McKeown	Sammon	West
Byrne	Freidel	McManus	Schoeneck	Wemple
Cadin	Gardner	Mead	Scovill	Whitney F G
Cahn	Gates	Miller	Sheehy	Whitney G H
Callahan	Grattan	Monroe	Sheldon	Wilsnack
Caughlan	Gray	Murphy	Shuttleworth	Wilson
Charles E E	Gurnett	Newton	Slocum	Wolf
Charles W B	Hackett	Ogden	Smith A E	Wood F X
Coon	Hammond	O'Neill	Smith J E	Yale
Cotton	Hapeman	Palmer	Smith R H	Young
Coutant	Hastings	Parker	Standart	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1059) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester" and to consolidate therewith the several acts in relation to the charter of said city'" (Rec. No. 249), was read the second time.

On motion of Mr. Callahan, said bill was placed on the order of third reading.

On motion of Mr. Callahan, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	La Fetra	Pratt	Standart
Allen F E	Cox	La Rue	Prentice	Stanley
Allen J G	Dale	Lewis	Prince	Stevens
Anderson	Dodd	Maier	Quinn	Sullivan
Apgar	Donovan	Mathews T F	Reeve	Tenjust
Becker	Dowling	Matthews C R	Reilly	Thompson F G
Bedell	Ellis	McKeown	Rigby	Thompson J A
Beebe	Evans	McManus	Rogers	Thonet
Beihlf	Everett	Merritt	Rosenstein	Tompkins
Bird	Fitzsimons	Miller	Salomon	Waddell
Bisland	Foelker	Monroe	Sammon	Wade
Brady	Francisco	Moreland	Santee	Wagner
Brooks	Freidel	Murphy	Schoeneck	Wadsworth
Burnett	Gardner	Newton	Scovill	Wedemeyer
Burns	Gates	Nugent	Shanahan	West
Burzynski	Grattan	Ogden	Sheehy	Wemple
Byrne	Gurnett	O'Neill	Sheldon	Whitney F G
Cadin	Hackett	Palmer	Sherry	Whitney G H
Cahn	Hanford	Parker	Shuttleworth	Wiegand
Callahan	Hapeman	Patton	Slocum	Wilson
Carrier	Hartman	Pendry	Smith A P	Wolf

Caughtlan	Hooker	Perry	Smith A E	Wood F C
Charles W B	Hooper	Phillips	Smith J E	Wood F X
Cooke	Hornidge	Plank	Smith J T	Yale
Cotton	Hubbs	Platt	Smith R H	Young
Coutant	Kavanaugh			

Ordered, That the Clerk return said Bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1114) entitled "An act to amend section 1092 of the Greater New York charter, in relation to the public school teachers' retirement fund" (Rec. No. 278), was read the second time.

On motion of Mr. Maier, said bill was placed on the order of third reading.

The Senate bill (No. 983) entitled "An act to amend the Greater New York charter, relative to pensions to members of the police force and their widows and orphans" (Rec. No. 231), was read the second time.

On motion of Mr. Hornidge, said bill was placed on the order of third reading.

The Senate bill (No. 982) entitled "An act to authorize the grant by the city of New York to the Spuyten Duyvil and Port Morris Railroad Company and to the New York Central and Hudson River Railroad Company, or either of them, of lands and lands under water lying between the southerly boundary line of the land of the Spuyten Duyvil and Port Morris Railroad Company at East One Hundred and Forty-ninth street and the northerly boundary line of the city of New York, for railroad purposes" (Rec. No. 218), was read the second time.

On motion of Mr. Hornidge, said bill was placed on the order of third reading.

The Senate bill (No. 699) entitled "An act concerning the settlement, adjustment and collection of arrears of unpaid taxes, assessments and water rates and sales for the same levied prior to January 1, 1898, in that part of the county of Queens now constituting the borough of Queens, city of New York, and for the settlement and adjustment of certain assessments for local im-

provements levied prior to January 1, 1898, in that part of the said borough of Queens, formerly included within the limits of Long Island City, and to authorize the compromise and settlement with property owners interested of said unpaid taxes, assessments, water rates and sales for the same and providing for the imposition and levying of a tax, assessment and lien in lieu and instead of said unpaid taxes and assessments, water rates and assessments for local improvements, and to enforce the payment thereof " (Rec. No. 232), was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading.

On motion of Mr. Sullivan, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

Allen F E	Dale	Hurd	Plank	Smith J T
Allen J G	Donovan	Kavanaugh	Platt	Smith R H
Anderson	Dowling	Knapp	Pratt	Stanley
Bass	Etzel	La Fetra	Prentice	Steele
Becker	Evans	La Rue	Prince	Stevens
Beebe	Everett	Lewis	Quinn	Tenlost
Beihlf	Fish	Machacek	Reeve	Thompson G F
Bird	Foelker	Malloy	Reilly	Thompson J A
Bisland	Foster	Mathews T F	Rigby	Thonet
Brady	Francisco	Matthews C R	Rogers	Waddell
Brooks	Freidel	McKeown	Rosenstein	Wade
Burns	Fuller	McManus	Salomon	Wagner
Burzynski	Gardner	Mead	Sammon	Wadsworth
Byrne	Gates	Merritt	Schoeneck	Wedemeyer
Cahn	Grady	Monroe	Scovill	West
Callahan	Gray	Moreland	Shanahan	Wemple
Carrier	Gurnett	Murphy	Sheehy	Whitney F G
Charles E E	Hackett	Nugent	Sheldon	Whitney G H
Charles W B	Hanford	Ogden	Sherry	Wiegand
Cooke	Hapeman	O'Neill	Shuttleworth	Wilsnack
Cotton	Hartman	Parker	Slocum	Wilson
Coutant	Hastings	Patton	Smith A P	Wood F C
Cowan	Hooper	Pendry	Smith A E	Wood F X
Cunningham	Hornidge	Perry	Smith J E	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 866) entitled "An act to amend chapter 386 of the Laws of 1888, as amended by chapter 473 of the Laws of 1900, entitled 'An act to authorize the city of Yonkers to issue bonds for the purpose of raising money to construct bridges over water courses in said city'" (Rec. No. 253), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The Senate bill (No. 976) entitled "An act to establish a firemen's pension fund in the city of Troy, and providing for the payment of pensions therefrom" (Rec. No. 222), was read the second time.

On motion of Mr. Stevens, said bill was placed on the order of third reading.

The Senate bill (No. 977) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' so as to relieve the annual tax levy from the burden of collecting delinquent taxes, reimburse the city for advances against assessments, and to regulate and legalize tax notices" (Rec. No. 224), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The Senate bill (No. 585) entitled "An act to provide that the fire commissioner of the city of New York, in his discretion, may reappoint in the department Robert J. Sweeney, who resigned from the department November 4, 1902" (Rec. No. 270), was read the second time.

On motion of Mr. McKeown, said bill was placed on the order of third reading.

The Senate bill (No. 334) entitled "An act to amend the Greater New York charter, relative to powers of the board of estimate and apportionment" (Rec. No. 214), was read the second time.

On motion of Mr. Hornidge, said bill was placed on the order of third reading.

The bill (No. 977) entitled "An act to create a new boundary line between the Sixth and Twelfth wards of the city of Troy" (Int. No. 835), having been announced for a third reading.

On motion of Mr. Santee, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

Mr. Wainwright moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Allen F E	Dowling	Knapp	Prince	Sullivan
Allen J G	Ellis	La Fetra	Quinn	Tenjost
Anderson	Etzel	La Rue	Reeve	Thompson G F
Bass	Evans	Leggett	Reilly	Thompson J A
Bedell	Everett	Maier	Rigby	Thonet
Beihilf	Fitzsimons	Malloy	Rogers	Tompkins
Bird	Foelker	Mathews T F	Rosenstein	Wade
Bisland	Foster	Matthews C R	Salomon	Wagner
Brady	Francisco	McKeown	Sammon	Wadsworth
Brooks	Freidel	Mead	Santee	Wainwright
Burnett	Fuller	Merritt	Schoeneck	Wedemeyer
Burzynski	Gardner	Monroe	Scovill	West
Byrne	Grady	Murphy	Shanahan	Wemple
Cadin	Gray	Ogden	Sheldon	Whitney F G
Callahan	Hammond	O'Neill	Sherry	Whitney G H
Carrier	Hanford	Palmer	Shuttleworth	Wiegand
Caughlan	Hapeman	Parker	Slocum	Wilsnack
Charles E E	Hartman	Patton	Smith A P	Wilson
Charles W B	Hastings	Perry	Smith A E	Wolf
Coon	Hooker	Phillips	Smith J E	Wood F C
Cotton	Hornidge	Plank	Smith J T	Wood F X
Cowan	Hubbs	Platt	Smith R H	Yale
Cox	Hurd	Pratt	Standart	Young
Dodd	Kavanaugh	Prentice	Stanley	

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Mr. Wainwright moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Merritt in the chair.

The bill (No. 141) entitled "An act to amend the Liquor Tax Law, relative to the submission of questions as to the sale of

liquors in residence districts in certain cities and villages" (Int. No. 141), having been announced for a third reading,

Mr. Brooks moved that said bill be recommitted to the committee on excise, with instructions to report the same forthwith amended as follows:

Page 2, line 6, strike out the words "city or."

Same page, lines 8 and 9, strike out the words "or if such district is contained in the city of New York with the board of elections in the said city."

Same page, lines 14 and 15, strike out the words "or in the city of New York the board of elections."

Page 5, line 3, strike out the words "a city or" and insert the word "an."

Page 7, line 2, strike out the words "or in the city of New York the board of elections."

Same page, line 9, strike out the words "city or."

Same page, lines 16 and 17, strike out the words "or in the city of New York by the board of elections."

Same page, line 21, strike out the words "the city."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 59

NOES 70

Those who voted in the affirmative were:

Anderson	Donovan	Machacek	Quinn	Tenjost
Bird	Ellis	Malloy	Reilly	Thompson G F
Brooks	Etzel	Mathews T F	Rosenstein	Thompson J A
Burns	Fitzsimons	McKeown	Salomon	Thonet
Burzynski	Francisco	McManus	Sammon	Tompkins
Byrne	Freidel	Monroe	Schoeneck	Wagner
Cahn	Grady	Nugent	Shanahan	Wedemeyer
Caughlan	Hackett	Palmer	Sherry	Wiegand
Cooke	Hartman	Patton	Smith A E	Wilsnack
Cox	Hornidge	Perry	Smith R H	Wolf
Dale	Kavanaugh	Platt	Standart	Wood F C
Dodd	La Petra	Prince	Sullivan	

Those who voted in the negative were:

Allen F E	Evans	Hurd	Phillips	Stanley
Allen J G	Foelker	Knapp	Plank	Steele
Bass	Foster	La Rue	Pratt	Waddell
Beihlf	Fuller	Leggett	Prentice	Wade
Bisland	Gardner	Lewis	Reeve	Wadsworth
Brady	Grattan	Maier	Rigby	Wainwright
Burnett	Gray	Matthews C R	Rogers	West

Carrier	Hammond	Mead	Santee	Wemple
Charles E E	Hanford	Merritt	Scovill	Whitney F G
Charles W B	Hapeman	Miller	Sheldon	Whitney G H
Coon	Hastings	Moreland	Slocum	Wilson
Cotton	Hooker	Murphy	Smith A P	Wood F X
Cowan	Hooper	Ogden	Smith J E	Yale
Dowling	Hubbs	Parker	Smith J T	Young

Mr. Speaker in the chair.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 73

NOES 60

Those who voted in the affirmative were:

Allen F E	Dowling	La Rue	Pratt	Thompson G F
Allen J G	Evans	Lewis	Prentice	Wadsworth
Bass	Foster	Maier	Reeve	Wainwright
Beihlf	Gardner	Matthews C R	Rigby	West
Bisland	Grattan	Mead	Rogers	Wemple
Brady	Gray	Merritt	Santee	Whitney F G
Burnett	Hammond	Miller	Scovill	Whitney G H
Cadin	Hanford	Monroe	Sheldon	Wilsnack
Carrier	Hapeman	Moreland	Slocum	Wilson
Charles E E	Hastings	Murphy	Smith A P	Wood F C
Charles W B	Hooker	Ogden	Smith J E	Wood F X
Cotton	Hooper	Palmer	Smith J T	Yale
Coutant	Hubbs	Parker	Stanley	Young
Cowan	Hurd	Phillips	Steele	Speaker
Cunningham	Knapp	Plank		

Those who voted in the negative were:

Anderson	Dodd	Hornidge	Platt	Smith R H
Bird	Donovan	Kavanaugh	Prince	Standart
Brooks	Ellis	La Fetra	Quinn	Sullivan
Burns	Etzel	Leggett	Reilly	Tenlost
Burzynski	Fitzsimons	Machacek	Rosenstein	Thompson J A
Byrne	Francisco	Malloy	Salomon	Thonet
Cahn	Freidel	Mathews T F	Sammon	Tompkins
Caughlan	Fuller	McKeown	Schoeneck	Wade
Cooke	Grady	McManus	Shanahan	Wagner
Coon	Gurnett	Nugent	Sherry	Wedemeyer
Cox	Hackett	O'Neill	Shuttleworth	Wiegand
Dale	Hartman	Patton	Smith A E	Wolf

Mr. Wainwright moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1852) entitled "An act to amend the Penal Code, in relation to adultery" (Int. No. 785), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 56

NOES 31

Those who voted in the affirmative were:

Allen J G	Dowling	Hubbs	Patton	Smith J T
Bass	Fitzsimons	Kavanaugh	Phillips	Stanley
Bedell	Foelker	Knapp	Plank	Thompson J A
Brady	Foster	La Rue	Pratt	Thonet
Burnett	Fuller	Leggett	Prentice	Wade
Cahn	Grady	Maier	Rigby	Wadsworth
Cooke	Grattan	Matthews C R	Schoeneck	Wainwright
Coon	Gray	Moreland	Sheldon	Wilson
Cowan	Hammond	Ogden	Slocum	Wood F X
Cunningham	Hastings	O'Neill	Smith A P	Young
Dale	Hooker	Palmer	Smith J E	Speaker
Dodd				

Those who voted in the negative were:

Anderson	Charles W B	Hartman	Merritt	Sherry
Beihlf	Cox	Hornidge	Murphy	Tenjest
Bird	Donovan	Machacek	Perry	Thompson G F
Brooks	Ellis	Malloy	Rosenstein	Tompkins
Burzynski	Hackett	Mathews T F	Salomon	Wemple
Carrier	Hapeman	McKeown	Sammon	Wood F C
Charles E E				

Mr. Phillips moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1874) entitled "An act to amend the Greater New York charter, relative to the salaries of officers" (Int. No. 1145), was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 119

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooper	Patton	Smith J T
Allen F E	Dale	Hornidge	Pendry	Standart
Anderson	Dodd	Hubbs	Perry	Stanley
Apgar	Donovan	Hurd	Phillips	Steele
Bass	Ellis	Knapp	Plank	Stevens
Becker	Evans	La Fetra	Platt	Sullivan
Beebe	Everett	La Rue	Pratt	Tenjost
Beihilf	Fish	Lewis	Prince	Thompson G F
Bird	Fitzsimons	Machacek	Quinn	Thonet
Brady	Foelker	Maier	Reeve	Tompkins
Brooks	Foster	Malloy	Reilly	Wade
Burnett	Francisco	Mathews T F	Rogers	Wagner
Burns	Fuller	Matthews C R	Salomon	Wadsworth
Byrne	Gardner	McKeown	Sammon	Wainwright
Cadin	Gates	McManus	Santee	West
Cahn	Grady	Merritt	Schoeneck	Wemple
Carrier	Grattan	Miller	Scovill	Whitney G H
Caughlan	Gray	Monroe	Shanahan	Wiegand
Charles E E	Gurnett	Moreland	Sheldon	Wilson
Charles W B	Hackett	Newton	Sherry	Wolf
Cooke	Hanford	Nugent	Slocum	Wood F C
Cotton	Hapeman	Ogden	Smith A P	Yale
Coutant	Hartman	Palmer	Smith A E	Young
Cox	Hastings	Parker	Smith J E	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1960) entitled "An act to amend the Forest, Fish and Game Law, relative to appointing additional protectors" (Int. No. 737), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 1

Those who voted in the affirmative were:

Agnew	Cowan	Hartman	Parker	Smith J E
Allen F E	Cox	Hastings	Patton	Smith J T
Allen J G	Cunningham	Hooker	Pendry	Smith R H
Anderson	Dale	Hooper	Perry	Standart
Apgar	Dodd	Hornidge	Plank	Steele
Bass	Donovan	Hubbs	Platt	Stevens
Becker	Dowling	Hurd	Pratt	Sullivan
Bedell	Ellis	Knapp	Prentice	Tenjost
Beebe	Etzel	La Fetra	Prince	Thompson J A
Beihliff	Evans	Leggett	Quinn	Thonet
Bird	Everett	Lewis	Reeve	Tompkins
Brady	Fish	Machacek	Reilly	Waddell
Brooks	Fitzsimons	Maier	Rigby	Wade
Burnett	Foelker	Malloy	Rogers	Wagner
Burns	Foster	Matthews C R	Rosenstein	Wadsworth
Burzynski	Francisco	McKeown	Salomon	Wedemeyer
Byrne	Freidel	McManus	Sammon	Wemple
Cadin	Fuller	Merritt	Santee	Whitney F G
Callahan	Gardner	Miller	Sehoeneck	Whitney G H
Carrier	Gates	Monroe	Scovill	Wilsnack
Caughlan	Grady	Moreland	Sheehy	Wilson
Charles E E	Grattan	Murphy	Sheldon	Wolf
Charles W B	Hack	Newton	Sherry	Wood F C
Cooke	Hackett	Nugent	Slocum	Wood F X
Coon	Hammond	Ogden	Smith A P	Yale
Cotton	Hanford	O'Neill	Smith A E	Young
Coutant	Hapeman			

In the negative:

Palmer

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1958) entitled "An act to amend the Consolidated School Law, relative to the closing of schools during teachers' institutes" (Int. No. 1270), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Coon	Hapeman	Palmer	Smith J E
Allen F E	Cotton	Hartman	Parker	Smith J T
Allen J G	Coutant	Hastings	Patton	Standart
Anderson	Cowan	Hooper	Pendry	Stanley

Apgar	Cox	Hornidge	Perry	Stevens
Bass	Cunningham	Hubbs	Phillips	Sullivan
Becker	Dale	Hurd	Platt	Tenjust
Bedell	Dodd	Kavanaugh	Pratt	Thompson G F
Beebe	Donovan	La Fetra	Prentice	Thompson J A
Beihilf	Dowling	La Rue	Prince	Thonet
Bird	Ellis	Leggett	Reeve	Waddell
Bisland	Etzel	Machacek	Reilly	Wade
Brady	Everett	Maier	Rigby	Wagner
Brooks	Fish	Mathews T F	Rogers	Wadsworth
Burnett	Fitzsimons	Matthews C R	Salomon	Wainwright
Burns	Foster	McKeown	Sammon	West
Burzynski	Francisco	McManus	Santee	Whitney F G
Byrne	Freidel	Mead	Schoeneck	Whitney G H
Cadin	Fuller	Merritt	Scovill	Wiegand
Cahn	Gardner	Miller	Shanahan	Wilsnack
Callahan	Grady	Monroe	Sheldon	Wilson
Carrier	Grattan	Moreland	Sherry	Wood F C
Caughlan	Gray	Murphy	Shuttleworth	Wood F X
Charles E E	Hackett	Nugent	Smith A P	Yale
Charles W B	Hammond	Ogden	Smith A E	Young
Cooke	Hanford	O'Neill		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1963) entitled "An act to amend chapter 109 of the Laws of 1894, in relation to the salary and compensation of the county judge and surrogate of Niagara county" (Int. No. 1223), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 118

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hurd	Perry	Stanley
Allen F E	Dale	Kavanaugh	Plank	Steele
Anderson	Donovan	La Fetra	Platt	Stevens
Bass	Dowling	La Rue	Pratt	Sullivan
Becker	Ellis	Leggett	Prentice	Thompson G F
Bedell	Etzel	Lewis	Prince	Thompson J A
Beihilf	Everett	Machacek	Quinn	Thonet
Bird	Fish	Maier	Reeve	Tompkins
Bisland	Foelker	Mathews T F	Rigby	Waddell
Brooks	Foster	Matthews C R	Rogers	Wade
Burnett	Freidel	McKeown	Rosenstein	Wagner
Burns	Fuller	McManus	Sammon	Wadsworth
Burzynski	Gates	Merritt	Schoeneck	Wedemeyer

Cadin	Grady	Miller	Scovill	West
Cahn	Grattan	Monroe	Shanahan	Wemple
Callahan	Gray	Moreland	Sheldon	Whitney G H
Carrier	Hackett	Murphy	Sherry	Wiegand
Charles E E	Hammond	Newton	Shuttleworth	Wilson
Charles W B	Hanford	Nugent	Slocum	Wolf
Cooke	Hapeman	O'Neill	Smith A P	Wood F C
Coon	Hastings	Palmer	Smith A E	Wood F X
Cotton	Hooker	Parker	Smith J T	Yale
Cowan	Hooper	Patton	Smith R H	Young
Cox	Hornidge	Pendry		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1962) entitled "An act to amend the Forest, Fish and Game Law, relative to special game protector" (Int. No. 778), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Patton	Smith R H
Allen F E	Cox	Hooper	Pendry	Standart
Allen J G	Cunningham	Hornidge	Perry	Steele
Anderson	Dale	Hubbs	Phillips	Stevens
Bass	Donovan	Hurd	Plank	Sullivan
Becker	Dowling	Knapp	Platt	Thompson G F
Beebe	Ellis	La Fetra	Pratt	Thompson J A
Beihlf	Etzel	La Rue	Prentice	Thonet
Bird	Evans	Leggett	Prince	Waddell
Bisland	Everett	Lewis	Quinn	Wade
Brooks	Fitzsimons	Maier	Reilly	Wagner
Burnett	Foelker	Malloy	Rogers	Wadsworth
Burns	Foster	Mathews T F	Rosenstein	Wainwright
Burzynski	Francisco	Matthews C R	Salomon	West
Byrne	Freidel	McKeown	Sammon	Wemple
Cadin	Fuller	McManus	Santee	Whitney F G
Cahn	Gates	Mead	Schoeneek	Whitney G H
Carrier	Grady	Merritt	Shanahan	Wiegand
Caughlan	Grattan	Miller	Sheehy	Wilsnack
Charles E E	Gray	Moreland	Sheldon	Wilson
Charles W B	Gurnett	Murphy	Sherry	Wolf
Cooke	Hackett	Nugent	Slocum	Wood F C
Coon	Hanford	Ogden	Smith A P	Wood F X
Cotton	Hapeman	O'Neill	Smith J E	Yale
Coutant	Hartman	Parker	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Bedell in the chair.

The bill (No. 1964) entitled "An act to amend the Stock Corporations Law, in relation to the sale of franchises and property of corporations in towns, villages and cities of the third class" (Int. No. 1157), having been announced for a third reading,

On motion of Mr. Merritt, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1956) entitled "An act to amend the Code of Civil Procedure, with respect to the city court of the city of New York and providing for an additional stenographer for the special term of said court" (Int. No. 1144), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the negative were:

Agnew	Dodd	Hornidge	Patton	Smith J T
Allen F E	Donovan	Hubbs	Pendry	Smith R H
Apgar	Dowling	Hurd	Perry	Stanley
Bass	Ellis	Kavanaugh	Phillips	Steele
Becker	Etzel	Knapp	Plank	Stevens
Bedell	Evans	La Fetra	Platt	Sullivan
Beebe	Fish	La Rue	Pratt	Thompson G F
Beihlf	Fitzsimons	Leggett	Prince	Thompson J A
Bird	Foelker	Lewis	Quinn	Thonet
Bisland	Foster	Machacek	Reilly	Waddell
Brooks	Francisco	Maier	Rigby	Wade
Burnett	Freidel	Malloy	Rogers	Wagner
Burns	Gardner	Mathews T F	Rosenstein	Wadsworth
Byrne	Gates	Matthews C R	Sammon	Wainwright
Cadin	Grady	McKeown	Santee	West
Cahn	Grattan	McManus	Schoeneck	Wemple
Carrier	Gray	Mead	Scovill	Whitney G H
Caughlan	Gurnett	Miller	Shanahan	Wiegand
Charles E E	Hackett	Monroe	Sheehy	Wilsnack

Charles W B	Hammond	Murphy	Sheldon	Wilson
Cooke	Hanford	Newton	Sherry	Wolf
Cotton	Hapeman	Nugent	Shuttleworth	Wood F C
Cox	Hartman	O'Neill	Slocum	Wood F X
Cunningham	Hooker	Palmer	Smith A E	Yale
Dale	Hooper	Parker	Smith J E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1965) entitled "An act to amend the Highway Law, relating to the cutting and removing of weeds and brush and providing for the same when the highway is the boundary line between two or more towns" (Int. No. 849), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooper	Perry	Standart
Allen F E	Dale	Hornidge	Phillips	Stanley
Allen J G	Dodd	Hubbs	Plank	Steele
Apgar	Donovan	Hurd	Pratt	Sullivan
Bass	Dowling	Kavanaugh	Prentice	Tenjost
Becker	Etzel	Knapp	Prince	Thompson G F
Bedell	Evans	La Rue	Quinn	Thompson J A
Beebe	Everett	Leggett	Reeve	Thonet
Beihilf	Fish	Lewis	Reilly	Tompkins
Bird	Fitzsimons	Machacek	Rigby	Waddell
Brady	Foelker	Maier	Rogers	Wade
Brooks	Foster	Malloy	Rosenstein	Wagner
Burnett	Francisco	Mathews T F	Salomon	Wadsworth
Burzynski	Freidel	Matthews C R	Santee	Wedemeyer
Byrne	Fuller	McKeown	Schoeneck	West
Cadin	Gardner	McManus	Scovill	Whitney F G
Cahn	Gates	Mead	Shanahan	Whitney G H
Callahan	Grady	Miller	Sheehy	Wiegand
Carrier	Grattan	Monroe	Sheldon	Wilsnack
Caughlan	Gray	Murphy	Sherry	Wilson
Charles W B	Hackett	Newton	Shuttleworth	Wolf
Cooke	Hammond	Nugent	Slocum	Wood F C
Coon	Hanford	O'Neill	Smith A E	Wood F X
Cotton	Hapeman	Palmer	Smith J E	Yale
Coutant	Hartman	Parker	Smith J T	Young
Cox	Hastings	Pendry		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and as amended have again passed the same, and request the concurrence of the Senate therein.

The bill (No. 1957) entitled "An act to amend the Agricultural Law, in relation to the prevention of disease in fruit trees, and the pests that infest the same" (Int. No. 1163), having been announced for a third reading,

On motion of Mr. Wilson, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1955) entitled "An act to amend the Stock Corporations Law, in relation to annual reports of corporations" (Int. No. 280), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Perry	Smith J T
Allen F E	Dale	Hubbs	Phillips	Smith R H
Allen J G	Dodd	Hurd	Plank	Standart
Apgar	Donovan	Kavanaugh	Platt	Stanley
Bass	Dowling	Knapp	Pratt	Steele
Becker	Ellis	La Rue	Prentice	Sullivan
Bedell	Etzel	Leggett	Prince	Tenjost
Beebe	Everett	Lewis	Quinn	Thompson G F
Beihlf	Fish	Machacek	Reilly	Thompson J A
Bisland	Fitzsimons	Maier	Rigby	Tompkins
Brady	Foelker	Malloy	Rogers	Waddell
Brooks	Foster	Matthews C R	Rosenstein	Wade
Burnett	Francisco	McKeown	Salomon	Wadsworth
Burns	Freidel	McManus	Sammon	Wainwright
Burzynski	Gardner	Mead	Santee	Wedemeyer
Byrne	Gates	Miller	Schoeneck	West
Cadin	Grady	Monroe	Scovill	Wemple
Cahn	Grattan	Moreland	Shanahan	Whitney F G
Carrier	Gray	Murphy	Sheehy	Wiegand
Caughlan	Gurnett	Nugent	Sheldon	Wilsnack
Charles E E	Hackett	Ogden	Sherry	Wilson

Charles W B	Hanford	O'Neill	Shuttleworth	Wolf
Cooke	Hapeman	Palmer	Slocum	Wood F C
Coon	Hartman	Parker	Smith A P	Wood F X
Cotton	Hastings	Patton	Smith A E	Yale
Coutant	Hooker	Pendry	Smith J E	Young
Cowan	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1922) entitled "An act to amend chapter 194 of the Laws of 1897, entitled 'An act creating a commissioner of jurors for each county of the State having a population of more than 150,000 and less than 190,000, and regulating and prescribing his duties,' generally" (Int. No. 1414), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hastings	Patton	Stanley
Allen F E	Cowan	Hooker	Pendry	Steele
Allen J G	Cox	Hooper	Phillips	Stevens
Anderson	Cunningham	Hornidge	Plank	Sullivan
Apgar	Dodd	Hurd	Platt	Tenjost
Becker	Donovan	Kavanaugh	Pratt	Thompson J A
Bedell	Dowling	Knapp	Prentice	Thonet
Beebe	Etzel	La Rue	Prince	Tompkins
Beihilf	Evans	Leggett	Reeve	Wade
Bird	Everett	Lewis	Reilly	Wagner
Bisland	Fitzsimons	Maier	Rigby	Wadsworth
Brady	Foelker	Malloy	Rosenstein	Wainwright
Brooks	Foster	Mathews T F	Salomon	West
Burnett	Francisco	Matthews C R	Sammon	Wemple
Burns	Fuller	McKeown	Schoeneck	Whitney F G
Burzynski	Gardner	McManus	Shanahan	Whitney G H
Byrne	Gates	Merritt	Sheehy	Wiegand
Cahn	Grady	Miller	Sheldon	Wilsnack
Callahan	Grattan	Monroe	Shuttleworth	Wilson
Carrier	Gurnett	Moreland	Slocum	Wolf
Caughlan	Hackett	Newton	Smith A P	Wood F C
Charles E E	Hammond	Nugent	Smith A E	Wood F X
Charles W B	Hanford	Ogden	Smith J T	Yale
Cooke	Hapeman	O'Neill	Smith R H	Young
Coon	Hartman	Parker	Standart	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. La Rue offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill No. 882, entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown.'" (Rec. No. 202.)

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. La Rue, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. La Rue, and by unanimous consent, said bill was substituted for Assembly bill No. 1961, Int. No. 1301, same title and subject, now on the order of third reading.

On motion of Mr. La Rue, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1961) entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown,' relative to revising several sections of said charter" (Int. No. 1301), having been announced for a third reading,

On motion of Mr. La Rue, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 845) entitled "An act to prohibit the docking of horses' tails, and to require a registry of all docked horses now in this State" (Int. No. 747), having been announced for a third reading,

On motion of Mr. Burnett, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1954) entitled "An act to amend the Code of Civil Procedure, in relation to the sale, mortgage or leasing of the contingent interest of infants not in being in real property" (Int. No. 1184), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The Senate bill (No. 545, Assembly reprint No. 1959) entitled "An act to amend the Banking Law relative to trust companies" (Rec. No. 113), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooper	Perry	Stanley
Allen F E	Dale	Hubbs	Phillips	Stevens
Allen J G	Dodd	Hurd	Plank	Sullivan
Apgar	Donovan	Kavanaugh	Pratt	Tenjost
Bass	Dowling	Knapp	Prentice	Thompson G F
Bedell	Ellis	La Rue	Prince	Thompson J A
Beebe	Evans	Leggett	Quinn	Thonet
Beihilf	Fish	Lewis	Reeve	Waddell
Bisland	Fitzsimons	Machacek	Rigby	Wade
Brady	Foelker	Maier	Rogers	Wagner
Brooks	Foster	Malloy	Rosenstein	Wadsworth
Burnett	Freidel	Matthews C R	Salomon	Wainwright
Burns	Fuller	McKeown	Sammon	Wedemeyer
Burzynski	Gardner	Mead	Schoeneck	Wemple
Cahn	Gates	Merritt	Scovill	Whitney F G
Callahan	Grady	Monroe	Shanahan	Whitney G H
Carrier	Grattan	Moreland	Sheehy	Wiegand
Caughlan	Gray	Murphy	Sherry	Wilsnack
Charles E E	Gurnett	Newton	Shuttleworth	Wilson
Charles W B	Hammond	Nugent	Slocum	Wolf
Cooke	Hanford	Ogden	Smith A P	Wood F C
Cotton	Hapeman	Palmer	Smith J E	Wood F X
Coutant	Hartman	Parker	Smith J T	Yale
Cowan	Hastings	Patton	Smith R H	Young
Cox	Hooker	Pendry	Standart	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The Senate bill (No. 1134) entitled "An act to regulate the use of streets, avenues and public places in the city of New York, in

the borough of Manhattan, by steam railroads operated at grade " (Rec. No. 283), having been announced for a third reading.

On motion of Mr. Tompkins, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 879) entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown,' as amended by chapter 399, of the Laws of 1903, in relation to the amount of money to be raised for the use of the board of education " (Rec. No. 183), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hubbs	Phillips	Stanley
Allen F E	Donovan	Kavanaugh	Plank	Stevens
Allen J G	Dowling	Knapp	Platt	Sullivan
Apgar	Ellis	La Fetra	Pratt	Tenjost
Becker	Evans	Leggett	Prentice	Thompson G F
Bedell	Everett	Lewis	Prince	Thonet
Beebe	Fish	Machacek	Reeve	Tompkins
Bird	Fitzsimons	Maier	Reilly.	Waddell
Bisland	Foelker	Mathews T F	Rigby	Wade
Brady	Francisco	Matthews C R	Rogers	Wadsworth
Brooks	Freidel	McKeown	Salomon	Wainwright
Burnett	Fuller	McManus	Sammon	Wedemeyer
Burns	Gardner	Mead	Santee	West
Burzynski	Gates	Miller	Schoeneck	Wemple
Cadin	Grady	Monroe	Shanahan	Whitney F G
Cahn	Gray	Moreland	Sheehy	Whitney G H
Callahan	Gurnett	Newton	Sheldon	Wiegand
Carrier	Hackett	Nugent	Shuttleworth	Wilsnack
Charles E E	Hanford	Ogden	Slocum	Wilson
Charles W B	Hapeman	Palmer	Smith A E	Wolf
Coon	Hartman	Parker	Smith A P	Wood F C
Cotton	Hastings	Patton	Smith J T	Wood F X
Coutant	Hooker	Pendry	Smith R H	Yale
Cox	Hooper	Perry	Standart	Young
Cunningham	Hornidge			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 253) entitled "An act to amend the General Corporation Law, in relation to the consent of stockholders requisite to an extension of corporate existence" (Rec. No. 188), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 2

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Parker	Smith J T
Allen F E	Cunningham	Hooper	Patton	Smith R H
Allen J G	Dale	Hornidge	Pendry	Standart
Anderson	Donovan	Hurd	Perry	Stanley
Apgar	Dowling	Kavanaugh	Plank	Steele
Becker	Ellis	Knapp	Platt	Stevens
Bedell	Etzel	La Fetra	Pratt	Tenjost
Beebe	Evans	La Rue	Prentice	Thompson G F
Beihlf	Everett	Leggett	Prince	Thompson J A
Bird	Fitzsimons	Lewis	Reeve	Thonet
Bisland	Foelker	Machacek	Reilly	Tompkins
Brady	Foster	Maier	Rogers	Waddell
Brooks	Francisco	Malloy	Rosenstein	Wade
Burns	Freidel	Mathews T F	Salomon	Wadsworth
Burzynski	Fuller	Matthews C R	Sammon	Wainwright
Byrne	Gates	McKeown	Santee	West
Cahn	Grady	McManus	Schoeneck	Wemple
Callahan	Grattan	Mead	Shanahan	Whitney F G
Carrier	Gray	Miller	Sheehy	Whitney G H
Caughlan	Gurnett	Monroe	Sheldon	Wiegand
Charles W B	Hammond	Moreland	Shuttleworth	Wilsnack
Cooke	Hanford	Murphy	Slocum	Wilson
Coon	Hapeman	Nugent	Smith A P	Wolf
Coutant	Hartman	Ogden	Smith A E	Yale
Cowan	Hastings	O'Neill	Smith J E	Young

Those who voted in the negative were:

Palmer Phillips

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Cahn moved to take from the table the motion to reconsider the vote by which Assembly bill No. 1944 (Int. No. 488), was passed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hapeman	Palmer	Smith J E
Allen F E	Cowan	Hartman	Parker	Smith J T
Allen J G	Cox	Hastings	Patton	Smith R H
Anderson	Cunningham	Hooper	Pendry	Standart
Apgar	Dale	Hornidge	Perry	Stanley
Bass	Dodd	Hubbs	Phillips	Steele
Becker	Donovan	Kavanaugh	Plank	Stevens
Bedell	Dowling	Knapp	Platt	Sullivan
Beebe	Ellis	La Rue	Pratt	Thompson G F
Beihlf	Etzel	Leggett	Prince	Thompson J A
Bisland	Everett	Lewis	Quinn	Thonet
Brady	Fish	Maier	Reilly	Tompkins
Brooks	Fitzsimons	Mathews T F	Rigby	Wade
Burnett	Foelker	Mathews C R	Rosenstein	Wagner
Burns	Foster	McKeown	Salomon	Wainwright
Burzynski	Francisco	McManus	Sammon	Wedemeyer
Cadin	Freidel	Merritt	Santee	Wemple
Cahn	Fuller	Miller	Scovill	Whitney F G
Callahan	Gardner	Monroe	Shanahan	Wiegand
Carrier	Gates	Moreland	Sheehy	Wilson
Caughlan	Grady	Murphy	Sheldon	Wolf
Charles E E	Grattan	Newton	Shuttleworth	Wood F C
Charles W B	Gurnett	Nugent	Slocum	Wood F X
Cooke	Hammond	Ogden	Smith A P	Yale
Coon	Hanford	O'Neill	Smith A E	Young

On motion of Mr. F. C. Wood, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The Senate returned the bill (No. 1472, Senate reprint No. 1093) entitled "An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie' relative to the officers of said city, their duties, etc." (Int.

No. 396), with a message that they have concurred in the passage of the same with the following amendments:

Page 3, line 18, insert a comma after the word "counsel."

Page 14, line 24, after the word "lighting" insert a comma.

Page 18, lines 14 and 15, strike out the words "from" to "avenue" inclusive and insert the words "from Main to Mill streets."

Page 22, strike out line 3 and insert the words "be contracted for by said board of public works; nor shall anything herein contained be construed as in anywise extending the time beyond November first, nineteen hundred and six, for the removal of all electric wires, except trolley wires, from above the surface of the streets designated in the first subdivision of this section."

On motion of Mr. Burnett, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of third reading.

The Senate returned the bill (No. 528, Senate reprint No. 1092) entitled "An act to transfer to the city of New York the normal and training school in the borough of Queens, city of New York, formerly in the village of Jamaica and county of Queens" (Int. No. 487), with a message that they have concurred in the passage of the same with the following amendments:

Page 2, line 12, after the word "charter" strike out the period and insert a comma and the words "and the board of education shall have and exercise the same rights and powers in respect to said school as said board possesses in respect to other public schools in the city of New York."

Mr. Wilsnack moved to non-concur in the Senate amendments thereto, and request the appointment of a conference committee thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have non-concurred in the amendments of the Senate thereto, and request the appointment of a conference committee thereon.

Mr. Hornidge offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of the Assembly bill (No. 188, Senate reprint No. 806), entitled "An act to amend the Greater New York charter, relative to the classification and instruction of criminals and misdemeanants" (Int. No. 188), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wedemeyer offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of the Assembly bill (No. 727), entitled "An act to amend the Code of Civil Procedure, relative to exemptions of jurors from service" (Int. No. 647), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hanford offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly 1,000 copies of the report of the Special Adirondack Investigating Committee of the Assembly of 1904, said copies to be bound in paper.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Phillips	Smith R H
Allen F E	Dale	Hurd	Plank	Standart
Allen J G	Donovan	Kavanaugh	Pratt	Stanley
Anderson	Dowling	Knapp	Prentice	Steele
Bass	Ellis	La Rue	Prince	Stevens
Becker	Etzel	Leggett	Quinn	Sullivan
Bedell	Evans	Lewis	Reeve	Tenjust
Beihilf	Fish	Machacek	Rigby	Thompson J A
Bird	Foelker	Maier	Rogers	Thonet
Bisland	Foster	Malloy	Rosenstein	Tompkins
Brady	Francisco	Matthews C R	Salomon	Wade
Burnett	Freidel	McKeown	Sammon	Wagner
Burns	Fuller	McManus	Santee	Wadsworth
Burzynski	Gardner	Mead	Schoeneck	Wedemeyer
Byrne	Gates	Miller	Scovill	West
Cadin	Grady	Monroe	Shanahan	Wemple
Cahn	Grattan	Murphy	Sheehy	Whitney F G
Callahan	Gray	Newton	Sheldon	Whitney G H
Caughlan	Gurnett	Nugent	Sherry	Wilsnack
Charles E E	Hackett	Ogden	Shuttleworth	Wilson
Charles W B	Hammond	Palmer	Slocum	Wolf
Cooke	Hapeman	Parker	Smith A P	Wood F C
Coon	Hartman	Patton	Smith A E	Wood F X
Coutant	Hooker	Pendry	Smith J E	Yale
Cowan	Hooper	Perry	Smith J T	Young
Cox				

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That Senate bill No. 111, entitled "An act to authorize the Adjutant-General to reopen the claim made by George W. Herniman, late second lieutenant Sixty-fifth Regiment Infantry, National Guard, to be placed on the roll of invalid pensioners of the State, and to grant a rehearing of the application made by said Herniman to be placed on such roll" (Rec. No. 84), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No.

188, Senate reprint No. 806, entitled "An act to amend the Greater New York charter, relative to the classification and instruction of criminals and misdemeanants" (Int. No. 188), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 727, entitled "An act to amend the Code of Civil Procedure, relative to exemptions of jurors from service" (Int. No. 647), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 610, entitled "An act to amend the Poor Law, relating to the relief of soldiers, sailors and their families" (Int. No. 407), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the following entitled bills, with a message that they have reconsidered their vote by which said bills were passed, and as amended have again passed the same:

"An act to amend section 58 of the Code of Civil Procedure relative to the graduates of law schools in the State." (No. 1877, Int. No. 55.)

"An act to amend the County Law, in relation to the power of the board of supervisors of any county to sell, assign, transfer or set over a judgment obtained in the Court of Claims by such county against the State of New York." (No. 1855, Int. No. 228.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

"An act to amend the Banking Law, relative to the powers of trust companies." (No. 974, Int. No. 832.)

"An act to legalize, ratify and confirm a special election held

in the village of Hoosick Falls, county of Rensselaer, for the purpose of voting upon a proposition submitted thereat for the purchase by such village of certain real property and the issuance of bonds for the payment of the purchase price thereof, and for the erection and equipment of a village building thereon." (No. 1437, Int. No. 1150.)

"An act to amend the Forest, Fish and Game Law, in relation to the protection of land turtles and wild black bear." (No. 321, Int. No. 305.)

"An act making an appropriation for the payment of the interest on the canal debt for the fiscal year beginning on the 1st day of October, 1905, and for the payment of a portion of the principal of said debt." (No. 688, Int. No. 622.)

"An act to validate and confirm the reincorporation of certain villages under the Village Law." (No. 1042, Int. No. 57.)

"An act to amend the Forest, Fish and Game Law, in relation to penalties." (No. 1423, Int. No. 115.)

"An act to amend the Agricultural Law, in relation to the collection and dissemination of agricultural statistics." (No. 1548, Int. No. 1210.)

"An act to amend the Penal Code, relative to bank officers." (No. 954, Int. No. 549.)

"An act authorizing villages and cities to insure normal schools." (No. 78, Int. No. 78.)

"An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,' in relation to presentation of claims." (No. 946, Int. No. 817.)

"An act providing for an addition to the site of the State Normal College at Albany, N. Y., and making an appropriation therefor." (No. 305, Int. No. 290.)

"An act to legalize the action of the biennial town meeting of the town of Lawrence, county of St. Lawrence, in voting upon a town proposition for the purchase of a stone crushing machine and an engine to operate the same, and authorizing the town board

and commissioner of highways in such town to purchase such stone crushing machine and engine." (No. 1318, Int. No. 1072.)

"An act to amend the Forest, Fish and Game Law, in relation to pike in the counties of Oneida, Madison, Oswego and Onondaga." (No. 820, Int. No. 534.)

"An act to make the office of sheriff of Rockland county a salaried office, and to regulate the management of said office." (No. 1341, Int. No. 1090.)

"An act to amend the Forest, Fish and Game Law, in relation to the close season for grouse, woodcock and quail in certain counties." (No. 1485, Int. No. 266.)

"An act to amend the Code of Criminal Procedure, in relation to return by magistrate of statement to district attorney in certain counties." (No. 958, Int. No. 211.)

"An act to amend the Forest, Fish and Game Law, relative to the close season for squirrels in certain counties." (No. 1064, Int. No. 263.)

"An act to amend the Forest, Fish and Game Law, in relation to taking fish through the ice in the town of North East, Dutchess county." (No. 265, Int. No. 265.)

"An act to amend chapter 858 of the Laws of 1867, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Onondaga,' relative to the time of filing statement of unpaid taxes by the county treasurer of Onondaga county." (No. 1716, Int. No. 968.)

"An act to amend an act entitled 'An act to fix the salary of the town clerk and commissioner of highways of the town of Saugerties, Ulster county.'" (No. 1427, Int. No. 1140.)

"An act authorizing the town board of the town of Cortlandt to appropriate certain moneys to the Helping Hand Hospital Association of Peekskill, N. Y." (No. 1415, Int. No. 1027.)

"An act to amend the Agricultural Law, relative to selling imitation of cream." (No. 1518, Int. No. 823.)

“An act to amend the County Law, relative to the power of boards of supervisors to tax dogs.” (No. 254, Int. No. 222.)

“An act to amend the Forest, Fish and Game Law, relative to the close season for deer in certain counties.” (No. 1021, Int. No. 866.)

“An act to amend chapter 332 of the Laws of 1890, entitled ‘An act to authorize the supervisor, justices of the peace and town clerk, of any town having a population of more than 3,000, to license and regulate all public hacks, vehicles, venders, shows, concerts and public amusements in such town,’ in relation to the licensing and regulation of public hacks, vehicles, venders, shows, concerts, merry-go-rounds and other forms of public amusements, prescribing a penalty for violation of this act and the manner of its enforcement.” (No. 1402, Int. No. 806.)

“An act to amend chapter 266 of the Laws of 1903, entitled ‘An act to provide for the holding of town meetings and elections in counties of the State having a certain population,’ relative to the conduct of such town meetings and elections, the terms of town officers and the compensation of the clerk of the boards of supervisors in such counties.” (No. 275, Int. No. 275.)

“An act to amend the Forest, Fish and Game Law, relative to close season on trout.” (No. 1216, Int. No. 1006.)

“An act to amend chapter 208 of the Laws of 1889, entitled ‘An act to incorporate the fire department of the town of Newtown. Queens county, N. Y.’ in relation to chiefs of such department.” (No. 1850, Int. No. 1222.)

“An act to amend the Drainage Law, in relation to new assessments of water commissioners for expenses of repairs or enlargement.” (No. 1586, Int. No. 468.)

“An act to authorize the board of trustees of the village of Silver Creek, Chautauqua county, to borrow \$20,000 on the credit of said village for enlarging the system of water works of said village and to issue bonds therefor.” (No. 1464, Int. No. 1178.)

“An act to amend the Consolidated School Law, relative to changing school districts.” (No. 1146, Int. No. 440.)

"An act to amend the Forest, Fish and Game Law, in relation to the placing of carp in certain waters." (No. 499, Int. No. 469.)

"An act to amend the Religious Corporations Law, relative to the removal of remains from cemeteries and church grounds." (No. 1397, Int. No. 244.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to authorize the expenditure by the city of New York of money for the proper celebration of Memorial day in the year 1905." (No. 1564, Int. No. 1230.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to assess on the property benefited the cost and expense of constructing a bridge over the railroad tracks on Bronson avenue in the city of Rochester." (No. 1118, Int. No. 561.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

"An act in relation to Cornelia street, in the borough of Brooklyn, city of New York." (No. 1125, Int. No. 939.)

"An act to release to the devisees and persons interested under the will of Charles Booth, deceased, all the right, title and interest which the people of the State of New York acquired upon the death of the said Charles Booth by reason of his alienage, in and to all lands in the city of New York whereof said Charles Booth died seized." (No. 58, Int. No. 58.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

A communication was received from Hon. W. T. Coleman, mayor of the city of Elmira, returning Assembly bill No. 1623, entitled "An act to authorize the city of Elmira to issue its bonds for the construction of a bridge or the reconstructing and repairing of an existing bridge across the Chemung river in the city of Elmira" (Int. No. 1045), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. W. T. Coleman, mayor of the city of Elmira, returning Assembly bill No. 1336, entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' relative to the commissioners of cemeteries" (Int. No. 839), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. George M. Hines, mayor of the city of Poughkeepsie, returning Assembly bill No. 1057, entitled "An act to amend chapter 35 of the Laws of 1902, entitled 'An act creating a city court in and for the city of Poughkeepsie, N. Y.'" (Int. No. 395), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Joseph F. Hogan, mayor of the city of Troy, returning Assembly bill No. 1147, entitled "An act to amend chapter 236 of the Laws of 1860, entitled 'An act to legalize the State and county taxes in the county of Rensselaer for the year 1859, and to provide for the collection thereof, and to authorize the sale of lands in the city of Troy for unpaid State and county taxes,' and the several acts amendatory thereof and supplemental thereto in relation to the assessment, taxation and collection of taxes and the sale and conveyance of land for nonpayment thereof in the county of Rensselaer" (Int. No. 445), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Henry S. Clark, mayor of the city of New Rochelle, returning Assembly bill No. 1090, entitled "An act to amend the charter of the city of New Rochelle in relation to compensation of the mayor and alder-

men" (Int. No. 909), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Rogers, the House adjourned.

THURSDAY, APRIL 13, 1905.

The House met pursuant to adjournment.

Prayer by Rev. James Bruce, Andes, N. Y.

On motion of Mr. Rogers, the reading of the journal of yesterday was dispensed with and the same was approved.

The privileges of the floor were extended to Messrs. E. C. Moody and D. F. Frisbie.

The Senate sent for concurrence the following entitled bill:

"An act to amend the Penal Code in relation to crimes against the public health and safety" (No. 1156, Rec. No. 344), which was read the first time and referred to the committee on codes.

Mr. F. E. Allen introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to jail liberties in the county of Broome" (Int. No. 1484), which was read the first time and referred to the committee on codes.

Mr. Beihilf introduced a bill entitled "An act to provide for a commissioner of records of the county of New York" (Int. No. 1485), which was read the first time and referred to the committee on affairs of cities.

Mr. Francisco introduced a bill entitled "An act to transfer Pitkin avenue, between East New York avenue and Stone avenue, from the jurisdiction of the commissioner of parks for the boroughs of Brooklyn and Queens, of the city of New York, to the jurisdiction of the president of the borough of Brooklyn. city

of New York" (Int. No. 1486), which was read the first time and referred to the committee on affairs of cities.

Mr. Miller introduced a bill entitled "An act to amend the Tax Law, relative to the publication of lists of real property to be sold for unpaid taxes" (Int. No. 1487), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Foelker introduced a bill entitled "An act to amend the Greater New York charter, in relation to promotions in the police department" (Int. No. 1488), which was read the first time and referred to the committee on affairs of cities.

Mr. Wilsnack introduced a bill entitled "An act to abolish the board of aldermen of the city of New York, and to distribute the powers of said board" (Int. No. 1489), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. G. H. Whitney introduced a bill entitled "An act to amend the Highway Law, relative to the removal of snow from highways in towns which have adopted the money system" (Int. No. 1490), which was read the first time and referred to the committee on internal affairs.

By unanimous consent,

Mr. Wainwright introduced a bill entitled "An act authorizing the town board of the town of Greenburgh, in the county of Westchester, to change the boundaries of any election district in such town" (Int. No. 1491), which was read the first time and referred to the committee on internal affairs.

By unanimous consent,

Mr. Prince introduced a bill entitled "An act enabling the Board of Embalming-Examiners of the State of New York to receive the application of Patrick J. Burke of the borough of Manhattan, city of New York, for a license to engage in the business of embalming" (Int. No. 1492), which was read the first time.

On motion of Mr. Prince, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

By unanimous consent,

Mr. McManus introduced a bill entitled "An act to amend title 4 of chapter 23 of the Greater New York charter, as reenacted by chapter 466 of the Laws of 1901, relating to the office of coroner" (Int. No. 1493), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Murphy introduced a bill entitled "An act to amend section 254 of the Code of Civil Procedure relating to stenographers in Kings county" (Int. No. 1494), which was read the first time.

On motion of Mr. Murphy, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on codes.

By unanimous consent,

Mr. Tompkins introduced a bill entitled "An act to repeal subdivision 4 of section 17 of chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York'" (Int. No. 1495), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Tompkins introduced a bill entitled "An act in relation to jury trials in civil actions in courts of record in the county of New York" (Int. No. 1496), which was read the first time and referred to the committee on the judiciary.

Mr. Rogers, from the committee on ways and means, to which was referred the bill introduced by Mr. Hurd, Int. No. 852, entitled "An act to provide material for the construction of State roads and relating to the Commissioners of the Palisades Interstate Park and extending their jurisdiction" (No. 993), reported in favor of the passage of the following substitute bill:

AN ACT to provide for the selection, appropriation, maintenance and management by the Commissioners of the Palisades Interstate Park of certain mountain lands along the Hudson river in Rockland county as a public park.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The board of commissioners constituted and appointed by chapter one hundred and seventy of the laws of nineteen hundred, and the acts amendatory thereof and supplementary thereto, shall have power to acquire, maintain and make available for use as a public park, such mountain lands along the Hudson river, in Rockland county, as lie between Piermont creek on the south, and the state reservation at Stony Point on the north; beginning at and including what is known as Hook Mountain, in the village of Upper Nyack, Rockland county, New York, and extending thence along the west bank of the Hudson river to the said state reservation at Stony Point.

§ 2. The said commissioners shall possess all the powers in reference to the said lands and on the said lands, when acquired, as are now possessed by them under the provisions of chapter one hundred and seventy of the laws of nineteen hundred, and the acts amendatory thereof and supplementary thereto, and shall follow the procedure established in said laws for the acquisition of lands by purchase, gift, devise or eminent domain, subject however to the right of the state acting under the supervision of the state engineer and surveyor, to quarry and remove from lands that may be acquired by said commissioners under this act such rock as may become necessary for use in the construction of state roads, provided however that such rock shall be so quarried and removed from such portions of said lands and in such manner as not to impair the beauty of the natural scenery or to interfere with the construction of roads and boulevards in said public park.

§ 3. Said commissioners shall have power to connect roads or boulevards, which they may cause to be constructed in said public park, with roads, streets, avenues or boulevards exterior thereto, which may be extended to the boundaries of said park.

§ 4. This act shall take effect immediately.

JAS. T. ROGERS,

Chairman.

Which report was agreed to and said substitute bill ordered printed and placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the concurrent resolution introduced by Mr. Agnew, Int. No. 500, entitled "Concurrent resolution proposing amendment to section 1 of article 2 of the Constitution relating to qualification of voters" (No. 2000), reported in favor of the passage of the same without amendment, which report was agreed to and said concurrent resolution placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Foelker, Int. No. 1082, entitled "An act to amend section 1 of chapter 597 of the Laws of 1902, entitled: 'An act authorizing the appointment of a confidential attendant by the justices of the Supreme Court designated to the Appellate Division of the Second Department of a majority of them'" (No. 1328), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Dowling, Int. No. 1041, entitled "An act to amend the Greater New York charter relative to the municipal courts" (No. 1236), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Wainwright, Int. No. 1118, entitled "An act to provide for the appointment of Supreme Court Commissioners in judicial departments containing counties having a certain population, and providing for the mode of selecting and appointing such Supreme Court Commissioners in and for each of said judicial departments, and regulating and prescribing the duties of such commissioners" (No. 1377), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was

referred the bill introduced by Mr. Dowling, Int. No. 1412, entitled "An act to amend the Stock Corporations Law, in relation to consent to change place of business" (No. 1941), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Cooper, Rec. No. 225, entitled "An act to amend chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' in respect to Christian associations, as amended by chapter 541 of the Laws of 1900, and by chapter 469 of the Laws of 1901" (No. 995), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Raines, Rec. No. 136, entitled "An act to amend the State Charities Law, in relation to the State Custodial Asylum for Feeble-Minded Women at Newark" (No. 759), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hill, Rec. No. 101, entitled "An act to amend chapter 193 of the Laws of 1846, entitled 'An act to incorporate the University of Buffalo'" (No. 374), reported in favor of the passage of the following substitute bill:

AN ACT to amend chapter one hundred and ninety-three of the laws of eighteen hundred and forty-six, entitled "An act to incorporate the university of Buffalo," in relation to the office of curator.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The office of curator of the medical department of the university of Buffalo, created by section nine of chapter one

hundred and ninety-three of the laws of eighteen hundred and forty-six, entitled "An act to incorporate the university of Buffalo," is hereby abolished.

§ 2. All of the powers or duties vested in or imposed upon said curators by chapter one hundred and ninety-three of the laws of eighteen hundred and forty-six, shall on and after the passage of this act be vested in and exercised by the faculty of the medical department of the university of Buffalo.

§ 3. This act shall take effect immediately.

ROBERT J. FISH,
Chairman.

Which report was agreed to and said substitute bill ordered printed and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Davis, Rec. No. 226, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' relating to ward boundaries" (No. 584), reported in favor of the passage of the same with the following amendments:

Page 2, line 22, after the word "railroad" insert the words "as now located."

Page 5, lines 23 and 24, strike out the word "western" and insert the word "westerly."

Same page, line 24, strike out the word "southern" and insert the word "southerly."

Page 7, line 6, strike out the word "easterly" and insert the word "westerly."

Same page, line 8, strike out the word "spruce" and insert the word "Michigan;" strike out the letter "s" in the word "lines," and after the word "of" strike out down to and including the word "maple" in line 9 and insert in place thereof the word "Michigan."

Same page, line 10, strike out the word "maple" and insert the word "Michigan."

Same page, line 21, strike out the words "center lines of;" also, insert after the word "of" the words "the center lines of."

Page 8, line 4, strike out the letter "s" in the word "lines."

Page 10, line 2, after the word "the" insert the words "New York Central belt line track (as now located); thence northerly

along said belt line track to the center of a line formed by the extension of Stanislaus street eastward to said belt line track; thence westerly along the center of said line and the center line of Stanislaus street to the intersection of the center lines of Stanislaus street and Beck street; thence southerly along the center line of Beck street to the intersection of the center lines of Beck street and Broadway; thence westerly along the center line of Broadway to the."

Page 12, line 8, strike out the words "Rother avenue" and insert the words "Beck street."

Same page, line 9, strike out the words "Rother avenue" and insert the words "Beck street;" also, after the word "of," at the end of the line, insert the words "Beck street and Stanislaus street; thence easterly along the center line of Stanislaus street to the intersection of the center line of Stanislaus street and Rother avenue; thence northerly along the center line of Rother avenue to the intersection of the center lines of."

Page 13, line 4, after the word "tracks" insert the words "as now located."

Same page, line 14, strike out the word "Broadway" and insert the words "Stanislaus street; thence easterly along the center line of Stanislaus street and the center of a line formed by the extension of Stanislaus street to the New York Central belt line tracks as now located; thence southerly along said belt line tracks to the center line of Broadway."

Same page, line 18, add the letter "s" to the word "line."

Page 14, lines 7 and 8, strike out the word "maple" and insert the word "Michigan."

Same page, line 8, beginning with the word "and" strike out all down to and including the word "street" in line 9.

Same page, line 10, strike out the word "spruce" and insert the word "Michigan."

Same page, lines 12, 13 and 14, strike out the word "spring" and insert the word "hickory."

Same page, lines 14 and 15, strike out the word "southwesterly" and insert the word "northeasterly."

Same page, line 15, strike out the letter "s" in the word "lines."

Same page, lines 16, 17 and 18, strike out the word "lemon" and insert the word "locust."

Page 15, lines 8, 9 and 10, strike out the word "lemon" and insert the word "locust."

Same page, line 10, strike out the word "northeasterly" and insert the word "southwesterly."

Same page, lines 12, 13 and 14, strike out the word "spring" and insert the word "hickory."

Same page, line 17, strike out the words "and West Parade avenue."

Same page, line 18, strike out the words "West Parade avenue" and insert the words "Herman street."

Same page, lines 19 and 20, strike out the word "Dodge" and insert the word "Best."

Same page, line 25, strike out the word "Lemon" and insert the word "Locust."

Page 17, lines 16 and 17, strike out the word "Dodge" and insert the word "Best."

Same page, line 18, beginning at the word "Dodge" strike out all down to and including the word "street" in line 21 and insert the words "Best street and Genesee street."

Same page, line 22, strike out the words "the east track of."

Same page, line 23, after the word "line" insert the words "tracks as now located."

Same page, line 23, add the letter "s" to the word "track."

Page 18, lines 23 and 24, strike out the word "Elmwood" and insert the word "Delaware."

Page 19, line 14, strike out the word "bounds" and insert the word "boundary."

Same page, lines 15 and 16, strike out the word "Elmwood" and insert the word "Delaware."

Same page, line 21, after the word "northeasterly" insert the word "southeasterly;" also, after the word "easterly" insert the words "along the northerly boundary of the city."

Page 22, line 14, add the letter "s" to the word "line."

Same page, line 15, strike out the letter "s" from the word "lines."

Page 25, line 11, strike out the letter "s" from the word "lines."

Same page, line 13, add the letter "s" to the word "line."

Page 27, line 21, strike out the word "western" and insert the word "westerly."

Same page, line 23, strike out the word "western" and insert the word "westerly;" also, after the word "of" insert the words "the state of;" and after the word "York" strike out the word "state."

Page 28, line 8, strike out the letter "s" from the word "years," and after the word "five" strike out all down to and including the word "six" in line 9.

JEAN L. BURNETT,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Lewis, Int. No. 193, entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to the jurisdiction of the police court and police justice" (No. 836, Assembly reprint No. 1800), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Fuller, Int. No. 1329, entitled "An act to amend chapter 507 of the Laws of 1903, entitled 'An act to abolish certain grade crossings of highways and railroads in the borough of Brooklyn in the city of New York and county of Kings, and providing for necessary changes in the grades of highways, streets and avenues, and of portions of the railroad and right of way of the New York, Brooklyn and Manhattan Beach Railway Company, leased to the Long Island Railroad Company, and of the Brooklyn Union Elevated Railroad Company, leased to the Brooklyn Heights Railroad Company, so as to abolish present and avoid future crossings at grade, and providing means for the payment for such alterations or changes'" (No. 1780), reported the same with the following amendment, and request that said bill be recommitted to said committee:

Page 6, line 1, strike out the word "construction" and insert the word "constructing."

LOUIS BEDELL,
Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Bedell, from the committee on railroads, to which was recommitted the bill introduced by Mr. Standart, Int. No. 216, entitled "An act to amend chapter 353 of the Laws of 1892, entitled 'An act to further amend chapter 345 of the Laws of 1888,' in relation to the grade crossings in the city of Buffalo, and to give further powers to the grade crossing commission of said city" (No. 1680), reported the same with the following amendment, and request that said bill be recommitted to said committee:

Page 2, line 24, strike out the word "Elk."

LOUIS BEDELL,
Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Rigby, Int. No. 998, entitled "An act to amend section 11 of chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws,' in relation to the construction of railroads across streets" (No. 1209), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 2, line 26, insert the word "railroad" between the words "the" and "corporation."

Page 3, line 11, strike out the word "a" between the words "of" and "notice" and insert in place thereof the word "such."

Same page, line 22, after the word "railroad" insert the words "Every railroad corporation which shall build its road along, across or upon any stream, watercourse, street, highway, plankroad or turnpike, which the route of its road shall intersect or touch, shall restore the stream or watercourse, street, highway, plankroad and turnpike, thus intersected or touched, to its former state, or to such state as not to have unnecessarily impaired its usefulness, and any such highway, turnpike or plankroad may be carried by it, under or over its track, as may be found most expedient. Where an embankment or cutting shall make a change in the line of such highway, turnpike or plankroad desirable, with a view to a more easy ascent or descent, it may construct such highway, turnpike or plankroad, on such

new line as its directors may select, and may take additional lands therefor by condemnation if necessary. Such lands so taken shall become part of such intersecting highway, turnpike or plankroad, and shall be held in the same manner and by the same tenure as the adjacent parts of the highway, turnpike or plankroad are held for highway purposes. Every railroad corporation shall pay all damages sustained by any turnpike or plankroad corporation in consequence of its crossing or occupation of any turnpike or plankroad, and in case of inability to agree upon the amount of such damages it may acquire the right to such crossing or occupation by condemnation."

LOUIS BEDELL,

Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Bedell, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Goodsell, Rec. No. 317, entitled "An act to amend the Railroad Law in relation to the incorporation and powers of railroad corporations" (No. 877), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Cobb, Rec. No. 152, entitled "An act to extend the time of the Watertown and Carthage Traction Company to complete the construction of its road and extensions, and put the same in operation" (No. 592), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Santee, Int. No. 1242, entitled "An act to amend the Penal Code, in relation to unauthorized advertisements for applicants for degrees or membership in any secret fraternity" (No. 1597), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Hammond, Int. No. 402, entitled "An act to amend the Code of Civil Procedure, relative to the possession of property on giving security" (No. 402), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Wainwright, Int. No. 1396, entitled "An act to amend the Penal Code, relative to the desecration, mutilation or improper use of the flag of the United States, or of this State" (No. 1929), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Standart, Int. No. 1215, entitled "An act to amend section 3304 of the Code of Civil Procedure, in relation to fees of county clerks, for filing papers relating to corporations" (No. 1553), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. G. F. Thompson, Int. No. 703, entitled "An act to amend the Code of Civil Procedure relative to the power and jurisdiction of justices of the peace in certain instances" (No. 790), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Grattan, Int. No. 1442, entitled "An act to amend the Penal Code, relating to the unauthorized use of the name, title of officers, insignia, ritual or ceremonies of certain orders and societies" (No. 2042), reported in favor of the passage of the same with the following amendment:

Page 2, line 10, commencing with the word "the" strike out all down to and including the word "wilful" in line 11.

J. S. PHILLIPS,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Santee, Int. No. 1236, entitled "An act to amend the Penal Code, in relation to obtaining by fraud or without authority signatures to applications or property for degrees, secrets or membership in secret fraternities" (No. 1591), reported in favor of the passage of the same with the following amendment:

Page 2, line 7, strike out the words "less than one or."

J. S. PHILLIPS,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Agnew, Int. No. 409, entitled "An act to amend section 2615 of the Code of Civil Procedure relating to the probate of wills" (No. 430), reported in favor of the passage of the same with the following amendments:

Page 1, line 3, commencing with the word "and" strike out all down to and including the word "will" in line 4.

Page 2, line 3, after the word "testator" insert the following:
"4. Any person designated in the will as executor."

J. S. PHILLIPS,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. O'Neill, Int. No. 675, entitled "An act to amend the Penal Code, relating to convict voting"

(No. 763), reported the same with the following amendment, and request that said bill be recommitted to said committee:

Page 1, line 7, after the word "person" insert the words "under thirty years of age."

J. S. PHILLIPS,
Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Phillips, from the committee on codes, to which was referred the Senate bill introduced by Mr. Armstrong, Rec. No. 221, entitled "An act to amend the Penal Code, relative to juvenile offenders and the suspension of sentence" (No. 1023), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the Senate bill introduced by Mr. Frawley, Rec. No. 124, entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace" (No. 652), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 127, entitled "An act to amend sections 481 and 500 of the Code of Civil Procedure relating to the contents of a complaint and answer" (No. 14), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 118, entitled "An act to amend the Code of Civil Procedure, in relation to proceedings for the condemnation of real property" (No. 515), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the Senate bill introduced by Mr. L'Hommedieu, Rec. No. 158, entitled "An act to amend article 7 of title 3, chapter 18 of the Code of Civil Procedure, relating to the authentication of wills admitted to probate in other States, and of letters testamentary and of administration granted in other States, so as to entitle the same to be recorded in this State" (No. 581), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the Senate bill introduced by Mr. Armstrong, Rec. No. 248, entitled "An act to amend section 220 of the Code of Civil Procedure relative to the designation of justices of the Appellate Division, and the times when such designations shall take effect" (No. 1020), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the Senate bill introduced by Mr. Armstrong, Rec. No. 220, entitled "An act to amend the Code of Criminal Procedure, relative to the suspension of sentence and probation officers" (No. 1022), reported in favor of the passage of the same with the following amendment:

Page 5, line 16, inclose the word "such" in brackets.

J. S. PHILLIPS,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the Senate bill introduced by Mr. Wilcox, Rec. No. 198, entitled "An act to amend subdivision 4 of section 2388 of the Code of Civil Procedure, relative to the service of certain notices upon heirs" (No. 949), reported in favor of the passage of the same with the following amendment:

Page 2, line 21, after the word "September" insert the word "first."

J. S. PHILLIPS,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. J. H. Thompson, Int. No. 1407, entitled "An act to prohibit the blacklisting of employees" (No. 1936), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. Stanley, Int. No. 834, entitled "An act to amend article 6 of the Lien Law, relative to the lien of keepers of automobile garages" (No. 976), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. Stevens, Int. No. 1316, entitled "An act to amend chapter 516 of the Laws of 1892, entitled, 'An act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding and protection of property, and the creation of trusts for the foundings, endowing, erection and maintenance of public libraries, museums and other educational institutions within this State'" (No. 1745), reported in favor of the passage of the same with the following amendments:

Page 1, line 1, after the word "section" insert the words "one of chapter."

Same page, line 2, after the words "ninety-two" insert the words "entitled, 'An act to advance learning, the arts and sciences, and to promote the public welfare by providing for the conveyance, holding and protection of property, and the creation of trusts for the founding, endowing, erection and maintenance of public libraries, museums and other educational institutions within this state.'"

Same page, line 4, strike out the figures "516" and insert in place thereof the figure "1."

S. PERCY HOOKER,

Acting Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the bill introduced by Mr. Cox, Int. No. 491, entitled "An act to amend the Lien Law, relative to liens on animals for labor done and materials furnished" (No. 531), reported in favor of the passage of the same with the following amendments:

Page 1, line 6, strike out the word "page" and insert in place thereof the word "section;" also, strike out the figures "75" and insert in place thereof the figures "76."

Page 2, line 25, strike out the word "page" and insert in place thereof the word "section;" also, strike out the figures "76" and insert in place thereof the figures "77."

S. PERCY HOOKER,

Acting Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Merritt, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Carpenter, Rec. No. 256, entitled "An act for the relief of Kensico cemetery" (No. 964), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Wade, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Miller, Int. No. 1276, entitled "An act to amend the Tax Law in relation to the levying of taxes upon and the resale of real property that has been once sold for taxes" (No. 1656), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Pratt, Int. No. 1398, entitled "An act to vacate and abandon a portion of Second

street in the village of Oneida Castle, as a street, and providing that the land lying contiguous to such abandoned portion on the south shall be bounded northerly by a line one rod northerly of the present southerly line of said street and releasing the remainder of said street to the village of Oneida Castle " (No. 1910), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Sheldon, Int. No. 1429, entitled "An act amending chapter 21 of the general laws being the Village Law and acts amendatory thereto, relating to the establishment of sewer systems " (No. 1989), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Carpenter, Rec. No. 149, entitled "An act to amend section 88 of chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws,' relative to garbage and ashes " (No. 230), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Steele, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Burr, Rec. No. 299, entitled "An act to authorize trustees of the village of Sag Harbor, Suffolk county, to construct and maintain a wharf in such village " (No. 1024), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Sheldon, from the committee on public health, to which was referred the bill introduced by Mr. Sheldon, Int. No. 1430, entitled "An act to improve the character of public water systems throughout the State by requiring that plans for such systems shall be examined and approved by the State Commissioner of Health " (No. 1990), reported in favor of the passage

of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Sheldon, from the committee on public health, to which was referred the bill introduced by Mr. Sheldon, Int. No. 1428, entitled "An act amending chapter 29 of the general laws being the Public Health Law and acts amendatory thereto relating to public water supplies" (No. 1988), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Sheldon, from the committee on public health, to which was referred the bill introduced by Mr. McKeown, Int. No. 122, entitled "An act to amend the Public Health Law and the acts amendatory thereof, in relation to pharmacy" (No. 122), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Sheldon, from the committee on public health, to which was referred the bill introduced by Mr. Perry, Int. No. 1219, entitled "An act to amend the Public Health Law, in relation to examination of immigrants arriving at the port of New York" (No. 1557), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Sheldon, from the committee on public health, to which was referred the Senate bill introduced by Mr. Tully, Rec. No. 197, entitled "An act to amend the Public Health Law, relative to the report of the health officer of the port of New York" (No. 708), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Evans, from the committee on public printing, to which was referred the Senate bill introduced by Mr. Dooling, Rec. No. 729, entitled "An act to amend the State Printing Law in relation to qualifications of contractors" (No. 925), reported in favor of the passage of the same without amendment, which report

was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Sullivan, Int. No. 1007, entitled "An act to release to Margaret Marth all the right, title and interest of the people of the State of New York in and to certain real estate situated at Brentwood Plaza, Westchester county, and in certain real estate situated in the town of Southampton, Suffolk county, and State of New York, acquired by escheat or otherwise upon the death of Roman Marth, deceased" (No. 1217), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Palmer, Int. No. 1354, entitled "An act to release to Charles E. Coddington all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the borough of Manhattan, city, county and State of New York" (No. 1821), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Grattan, Int. No. 1451, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Anna Fleming against the State for damages alleged to have been sustained by her, and to render judgment therefor" (No. 2051), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Dowling, Int. No. 1434, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claim of William D. Hudson, for salary alleged to be due him as Deputy State Factory Inspector, and to render judgment therefor" (No. 1994), reported in favor of the

passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Gates, Int. No. 17, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Edwin H. Risley and Henry M. Love, comprising the firm of Risley and Love, against the State of New York" (No. 17), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the bill introduced by Mr. Thonet, Int. No. 1457, entitled "An act to confer jurisdiction upon the Court of Claims, to hear, audit and determine the alleged claim of James L. Gernon, for salary alleged to be due him as Deputy State Factory Inspector, and to render judgment therefor" (No. 2056), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Cox, from the committee on claims, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 250, entitled "An act to amend section 62 of the Public Lands Law, relating to releases of escheated lands by the commissioners of the land office" (No. 1034), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Hammond, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to amend the Indian Law, in relation to the employment of a physician, his compensation and duties." (No. 2036, Int. No. 912.)

"An act to prohibit bucket shops and bucket shopping within this State." (No. 2039, Int. No. 1347.)

"An act in relation to unpaid taxes, and sales for unpaid taxes in the towns, villages and school districts in the county of Richmond, as the same existed prior to January 1, 1898, the time of

the taking effect of the Greater New York charter." (No. 2038, Int. No. 1314.)

"An act to amend the Code of Civil Procedure in relation to certified public accounts." (No. 2034, Int. No. 1114.)

"An act to authorize the issuing of licenses to honorably discharged volunteer firemen of the State of New York for peddling, vending and selling merchandise within this State." (No. 2033, Int. No. 1049.)

"An act to legalize the acts of Lyman C. Broughton, a coroner of the county of Wyoming, and to permit him to file his oath of office." (No. 1953, Int. No. 1417.)

"An act to amend the Forest, Fish and Game Law, relative to taking fish with nets in Lake Ontario." (No. 1092, Int. No. 911.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 2032) entitled "An act to amend the Town Law, in relation to shade trees and the appointment of a tree warden" (Int. No. 688), reported the same with the following recommendations:

Page 2, line 9, strike out the bracket and the words "and may order."

Same page, strike out all of lines 10 to 19, both inclusive.

Same page, line 20, strike out the words "moral which decision shall be final" and the following bracket.

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1441) entitled "An act to amend chapter 632 of the Laws of 1903, entitled 'An act to regulate the practice of barbering in the State of New York; to establish a State Board of Barber Examiners, and to provide for the sanitary inspection of barber shops,' in relation to the renewal of certificates of registration and qualification, return of moneys, appren-

tices and sub-boards" (Int. No. 1155), reported the same with the following recommendations:

Page 3, line 10, underscore the word "or."

Same page, line 11, underscore the words "an apprentice to a barber."

Same page, line 13, after the word "he" insert the words "is working, where it may be readily seen by all persons whom he."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 2058) entitled "An act to amend chapter 671 of the Laws of 1892, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' in relation to local improvements" (Int. No. 1452), reported the same with the following recommendations:

Page 1, line 1, after the figure "1" insert the word "Title" and strike out all of line 1 after the figure "1."

Same page, line 2, strike out the words "of title."

Same page, line 5, strike out the word "are" and insert the word "is;" after the word "hereby" insert the words "reenacted and," and strike out the words "so as."

Page 9, strike out lines 4, 5, 6 and 7.

Page 12, line 9, strike out the word "considering" and insert the word "conceiving."

Same page, line 14, strike out the word "annual" and insert the word "annul."

Page 15, line 25, underscore the words "to exceed," and after the word "exceed" insert in brackets the word "exceeding."

Page 18, line 5, after the word "unknown" insert a comma.

Page 20, line 4, after the word "not" insert in brackets the word "so."

Same page, line 22, after the word "provided" insert in brackets a capital letter "E" and underscore first letter "e" in the word "every."

Page 21, line 1, after the word "paid" insert a period in brackets; after the word "and" insert in brackets a capital letter "T," and underscore the letter "t" in the word "the."

Page 23, strike out lines 1, 2, 3, 4 and 5.

Same page, line 7, underscore the last word "The."

Same page, underscore lines 8 to 23, both inclusive.

Page 26, line 2, strike out the word "sewage" and insert the word "sewerage."

Page 28, strike out lines 1, 2, 3 and 4.

Same page, line 6, insert a comma after the word "work."

Page 32, line 25, strike out the figure "5" and insert the figure "2."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

"Concurrent resolution proposing amendments to section 2 of article 1 of the Constitution relating to trial by jury." (No. 2030, Rec. No. 67.)

"An act making appropriations for construction, additions and improvements at the State hospitals for the insane, and for the construction of a reception hospital in the city of New York." (No. 1998, Int. No. 1436.)

"An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of Thomas Clark against the State of New York for damages alleged to have been sustained by him by injuries to his canal boat at lock No. 64 on the Erie canal, on or about August 20, 1903." (No. 2001, Int. No. 1052.)

"An act to confer upon the Court of Claims jurisdiction to hear, audit and determine the alleged claim of John P. Smith against the State of New York for damages alleged to have been sustained by him by injuries to his canal boats at the Fort Herkimer lock No. 41 on the Erie canal, on or about the 5th of May, 1903." (No. 2002, Int. No. 1053.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Flynn

against the State for damages alleged to have been sustained by him, and to render judgment therefor." (No. 2003, Int. No. 1267.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the owners of certain lands in township No. 5, Brown's Tract, Herkimer county, against the State for damages alleged to have been sustained by them, and to render judgment therefor." (No. 2007, Int. No. 1269.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James W. Watts against the State of New York, for damages alleged to have been sustained by him and to render judgment therefor." (No. 2004, Int. No. 214.)

"An act making appropriations for repairs, renewals and betterments for the several State prisons, the Eastern New York Reformatory, the Matteawan State Hospital for Insane Criminals and the Dannemora State Hospital for Insane Convicts." (No. 2008, Int. No. 735.)

"An act to incorporate the Hebrew Free Loan Association." (No. 1971, Int. No. 1067.)

"An act providing for a pension for Michael Strohm, a former member of the State militia, directing the Adjutant-General to place his name upon the roll of invalid pensioners of this State, and making an appropriation for the payment of such pension." (No. 1970, Int. No. 1337.)

"An act to amend the Forest, Fish and Game Law, relative to the close season." (No. 1969, Int. No. 897.)

"An act authorizing the Supreme Court of the First Judicial District to entertain the petition of Augusta B. Frank to review certain actions taken by the board of education of the city of New York." (No. 2035, Int. No. 1176.)

"An act to amend the Indian Law, in relation to the employment of a physician, his compensation and duties." (No. 2036, Int. No. 912.)

The Senate bill (No. 818, Assembly reprint No. 1902), entitled "An act to amend the Canal Law, constituting chapter 13 of the general laws, relative to division and resident engineers and assistants" (Rec. No. 208), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 2

Those who voted in the affirmative were:

Agnew	Cunningham	Hubbs	Plank	Stanley
Allen F E	Dale	Hurd	Platt	Steele
Allen J G	Donovan	Knapp	Pratt	Stevens
Anderson	Dowling	La Fetra	Prentice	Sullivan
Apgar	Ellis	La Rue	Prince	Tenjost
Bass	Etzel	Lewis	Quinn	Thompson G F
Becker	Evans	Machacek	Reeve	Thompson J A
Bedell	Everett	Maier	Reilly	Thonet
Beebe	Fitzsimons	Malloy	Rigby	Waddell
Beihilf	Foelker	Mathews T F	Rogers	Wade
Bird	Francisco	Matthews C R	Rosenstein	Wagner
Bisland	Freidel	McKeown	Salomon	Wadsworth
Brady	Fuller	McManus	Sammon	Wainwright
Brooks	Gardner	Mead	Santee	Wedemeyer
Burnett	Gates	Merritt	Schoeneck	West
Burns	Grady	Monroe	Scovill	Wemple
Burzynski	Grattan	Moreland	Shanahan	Whitney F G
Cadin	Gray	Newton	Sheldon	Whitney G H
Cahn	Gurnett	Nugent	Sherry	Wiegand
Carrier	Hackett	Ogden	Shuttleworth	Wilsnack
Caughlan	Hammond	O'Neill	Slocum	Wilson
Charles E E	Hanford	Parker	Smith A E	Wolf
Charles W B	Hapeman	Patton	Smith J E	Wood F C
Cooke	Hartman	Pendry	Smith J T	Wood F X
Coon	Hastings	Perry	Smith R H	Yale
Cotton	Hooper	Phillips	Standart	Young
Cowan	Hornidge			

Those who voted in the negative were:

Palmer Tompkins

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The bill (No. 977) entitled "An act to create a new boundary line between the Sixth and Twelfth wards of the city of Troy" (Int. No. 835), having been announced for a third reading,

Mr. Stevens moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Amend the title to read as follows:

"An act to create a new boundary line between the sixth and twelfth wards in the city of Troy and relating to the ward officers of such wards."

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Mr. Burnett, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Rogers moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Allen F G	Dale	Hubbs	Perry	Smith R H
Allen J G	Dodd	Hurd	Phillips	Standart
Anderson	Dowling	Kavanaugh	Plank	Stanley
Bass	Ellis	La Fetra	Platt	Steele
Bedell	Etzel	La Rue	Pratt	Stevens
Beebe	Evans	Leggett	Prentice	Tenjost
Beihlf	Fish	Lewis	Prince	Thompson G F
Bird	Fitzsimons	Machacek	Quinn	Thompson J A
Bisland	Foelker	Maier	Reeve	Thonet
Brady	Foster	Malloy	Reilly	Tompkins
Brooks	Francisco	Mathews T F	Rigby	Wade
Burnett	Freidel	Matthews C R	Rogers	Wagner
Burns	Fuller	McKeown	Rosenstein	Wadsworth
Burzynski	Gardner	McManus	Salomon	Wainwright
Byrne	Gates	Mead	Sammon	Wedemeyer
Cadin	Grady	Merritt	Santee	Wemple
Callahan	Grattan	Miller	Schoeneck	Whitney F G
Carrier	Gray	Moreland	Scovill	Whitney G H
Charles E E	Hackett	Murphy	Sheldon	Wiegand
Charles W B	Hammond	Newton	Sherry	Wilsnack
Cooke	Hanford	Nugent	Shuttleworth	Wilson
Coon	Hapeman	Ogden	Slocum	Wood F C
Cotton	Hartman	O'Neill	Smith A P	Wood F X
Cowan	Hastings	Palmer	Smith A E	Yale
Cox	Hooker	Parker	Smith J E	Young
Cunningham	Hornidge	Patton		

Mr. Rogers moved that the call of the House be made a close call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Plank in the chair.

The Senate bill (No. 801) entitled "An act to further amend chapter 4 of the Laws of 1891 entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants'" (Rec. No. 382), having been announced for a third reading,

Mr. Tompkins moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 6, line 12, strike out the last clause and insert in place thereof the words "Before this act shall become operative, there shall be submitted to the people of the city of New York at the next annual election the question: 'Shall the powers of the board of aldermen be abridged?' If a majority of the votes cast on the question decide in the negative, this act shall be of no effect. If decided affirmatively, then this act shall take effect November fifteenth, nineteen hundred and five."

Debate was had thereon, when

Mr. Rogers moved the previous question.

Mr. Speaker put the question: "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Tompkins, and it was determined in the negative.

AYES 41

NOES 92

Those who voted in the affirmative were:

Anderson	Everett	Malloy	Reilly	Smith R H
Bird	Fitzsimons	Mathews T F	Rosenstein	Sullivan
Burns	Francisco	McKeown	Salomon	Thompson J A
Byrne	Grady	McManus	Sammon	Tompkins
Cahn	Hackett	Nugent	Shanahan	Wagner
Caughlan	Hornidge	O'Neill	Sheehy	Wedemeyer
Cooke	La Fetra	Palmer	Sherry	Wiegand
Dodd	Machacek	Prince	Smith A E	Wolf
Ellis				

Those who voted in the negative were:

Allen F E	Cunningham	Hubbs	Phillips	Steele
Allen J G	Dale	Hurd	Plank	Stevens
Bass	Etsel	Kavanaugh	Platt	Tenjost
Bedell	Evans	La Rue	Pratt	Thompson G F
Beebe	Fish	Leggett	Reeve	Thonet
Beihlf	Foelker	Lewis	Rigby	Waddell
Bisland	Foster	Maier	Rogers	Wade
Brady	Freidel	Matthews C R	Santee	Wadsworth
Brooks	Fuller	Mead	Schoeneck	Wainwright
Burnett	Gardner	Merritt	Scovill	Wemple
Cadin	Gates	Miller	Sheldon	Whitney F G
Callahan	Grattan	Moreland	Shuttleworth	Whitney G H
Carrier	Gray	Murphy	Slocum	Wilsnack
Charles E E	Hammond	Newton	Smith A P	Wilson
Charles W B	Hanford	Ogden	Smith J E	Wood F C
Coon	Hapeman	Parker	Smith J T	Wood F X
Cotton	Hartman	Patton	Standart	Yale
Cowan	Hastings	Perry	Stanley	Young
Cox	Hooker			

Mr. Speaker in the Chair.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 92

NOES 46

Those who voted in the affirmative were:

Allen F E	Cunningham	Hubbs	Plank	Stevens
Allen J G	Dale	Hurd	Platt	Tenjost
Bass	Etsel	Kavanaugh	Pratt	Thompson G F
Bedell	Evans	La Rue	Reeve	Thonet
Beebe	Fish	Leggett	Rigby	Waddell
Beihlf	Foelker	Lewis	Rogers	Wade
Bisland	Foster	Maier	Santee	Wadsworth
Brady	Freidel	Matthews C R	Schoeneck	Wainwright
Brooks	Fuller	Mead	Scovill	Wemple
Burnett	Gardner	Merritt	Sheldon	Whitney F G
Cadin	Gates	Miller	Shuttleworth	Whitney G H
Callahan	Grattan	Moreland	Slocum	Wilsnack
Carrier	Gray	Murphy	Smith A P	Wilson
Charles E E	Hammond	Newton	Smith J E	Wood F C
Charles W B	Hanford	Ogden	Smith J T	Wood F X
Coon	Hapeman	Parker	Standart	Yale
Cotton	Hartman	Patton	Stanley	Young
Cowan	Hastings	Phillips	Steele	Speaker
Cox	Hooker			

Those who voted in the negative were:

Anderson	Ellis	Malloy	Prince	Smith A E
Bird	Everett	Mathews T F	Quinn	Smith R H
Burns	Fitzsimons	McKeown	Reilly	Sullivan
Burzynski	Francisco	McManus	Rosenstein	Thompson J A
Byrne	Grady	Nugent	Salomon	Tompkins
Cahn	Hackett	O'Neill	Sammon	Wagner
Caughlan	Hornidge	Palmer	Shanahan	Wedemeyer
Cooke	La Fetra	Perry	Sheehy	Wiegand
Dodd	Machacek	Prentice	Sherry	Wolf
Dowling				

Ordered. That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1074) entitled "An act to amend sections 43, 44, 47 and 242 of the Greater New York charter, with reference to the respective powers and duties of the board of estimate and apportionment and the board of aldermen" (Rec. No. 281), having been announced for a third reading,

Mr. Tompkins moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Strike out the last clause on page 9, line 4, and insert in place thereof the following referendum clause:

"Before this act shall become operative, there shall be submitted to the people of the city of New York at the next annual election, the question 'Shall the powers of the board of aldermen be abridged?' If a majority of the votes cast on the question decide in the negative, this act shall be of no effect. If decided affirmatively, then this act shall take effect November fifteenth, nineteen hundred and five."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 41

NOES 92

Those who voted in the affirmative were:

Anderson	Everett	Malloy	Reilly	Smith R H
Bird	Fitzsimons	Mathews T F	Rosenstein	Sullivan
Burns	Francisco	McKeown	Salomon	Thompson J A
Byrne	Grady	McManus	Sammon	Tompkins
Cahn	Hackett	Nugent	Shanahan	Wagner

Caughlan	Hornidge	O'Neill	Sheehy	Wedemeyer
Cooke	La Fetra	Palmer	Sherry	Wiegand
Dodd	Machacek	Prince	Smith A E	Wolf
Ellis				

Those who voted in the negative were:

Allen F E	Cunningham	Hubbs	Phillips	Steele
Allen J G	Dale	Hurd	Plank	Stevens
Bass	Etzel	Kavanaugh	Platt	Tenjost
Bedell	Evans	La Rue	Pratt	Thompson G F
Beebe	Fish	Leggett	Reeve	Thonet
Beihlf	Foelker	Lewis	Rigby	Waddell
Bisland	Foster	Maier	Rogers	Wade
Brady	Freidel	Matthews C R	Santee	Wadsworth
Brooks	Fuller	Mead	Schoeneck	Wainwright
Burnett	Gardner	Merritt	Scovill	Wemple
Cadin	Gates	Miller	Sheldon	Whitney F G
Callahan	Grattan	Moreland	Shuttleworth	Whitney G H
Carrier	Gray	Murphy	Slocum	Wilsnack
Charles E E	Hammond	Newton	Smith A P	Wilson
Charles W B	Hanford	Ogden	Smith J E	Wood F C
Coon	Hapeman	Parker	Smith J T	Wood F X
Cotton	Hartman	Patton	Standart	Yale
Cowan	Hastings	Perry	Stanley	Young
Cox	Hooker			

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 92

NOES 46

Those who voted in the affirmative were:

Allen F E	Cox	Hooker	Plank	Stevens
Allen J G	Cunningham	Hubbs	Platt	Tenjost
Bass	Dale	Hurd	Pratt	Thompson G F
Bedell	Etzel	La Rue	Reeve	Thonet
Beebe	Evans	Leggett	Rigby	Waddell
Beihlf	Fish	Lewis	Rogers	Wade
Bisland	Foelker	Maier	Santee	Wadsworth
Brady	Foster	Matthews C R	Schoeneck	Wainwright
Brooks	Freidel	Mead	Scovill	Wemple
Burnett	Fuller	Merritt	Sheldon	Whitney F G
Cadin	Gardner	Miller	Shuttleworth	Whitney G H
Callahan	Gates	Moreland	Slocum	Wilsnack
Carrier	Grattan	Murphy	Smith A P	Wilson
Charles E E	Gray	Newton	Smith J E	Wood F C
Charles W B	Hammond	Ogden	Smith J T	Wood F X
Coon	Hanford	Parker	Standart	Yale

Cotton	Hapeman	Patton	Stanley	Young
Coutant	Hartman	Phillips	Steele	Speaker
Cowan	Hastings			

Those who voted in the negative were:

Anderson	Ellis	Machacek	Prince	Smith A ^E
Bird	Everett	Malloy	Quinn	Smith R ^H
Burns	Fitzsimons	Mathews T F	Reilly	Sullivan
Burzynski	Francisco	McKeown	Rosenstein	Thompson J A ^A
Byrne	Grady	McManus	Salomon	Tompkins
Cahn	Hackett	Nugent	Sammon	Wagner
Caughlan	Hornidge	Palmer	Shanahan	Wedemeyer
Cooke	Kavanaugh	Perry	Sheehy	Wiegand
Dodd	La Fetra	Prentice	Sherry	Wolf
Dowling				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1048) entitled "An act to amend sections 17, 28, 41, 43, 44, 45, 47, 48, 50, 72, 73, 74, 75 and 242 of the Greater New York charter, with respect to the powers of the board of aldermen and the board of estimate and apportionment" (Rec. No. 280), having been announced for a third reading,

Mr. Tompkins moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Strike out the last clause on page 25, line 9, and insert in place thereof the following referendum clause:

"Before this act shall become operative, there shall be submitted to the people of the city of New York at the next annual election, the question 'Shall the powers of the board of aldermen be abridged?' If a majority of the votes cast on the question decide in the negative, this act shall be of no effect. If decided affirmatively, then this act shall take effect November fifteenth, nineteen hundred and five."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 41

NOES 91

Those who voted in the affirmative were:

Anderson	Everett	Malloy	Reilly	Smith R H
Bird	Fitzsimons	Mathews T F	Rosenstein	Sullivan
Burns	Francisco	McKeown	Salomon	Thompson J A
Byrne	Grady	McManus	Sammon	Tompkins

Cahn	Hackett	Nugent	Shanahan	Wagner
Caughlan	Hornidge	O'Neill	Sheehy	Wedemeyer
Cooke	La Fetra	Palmer	Sherry	Wiegand
Dodd	Machacek	Prince	Smith A E	Wolf
Ellis				

Those who voted in the negative were:

Allen F E	Cunningham	Hooker	Phillips	Steele
Allen J G	Dale	Hubbs	Plank	Stevens
Bass	Etzel	Hurd	Platt	Tenjost
Bedell	Evans	La Rue	Pratt	Thompson G F
Beebe	Fish	Leggett	Reeve	Thonet
Beihlf	Foelker	Lewis	Rigby	Waddell
Bisland	Foster	Maier	Rogers	Wade
Brady	Freidel	Matthews C R	Santee	Wadsworth
Brooks	Fuller	Mead	Schoeneck	Wainwright
Burnett	Gardner	Merritt	Scovill	Wemple
Cadin	Gates	Miller	Sheldon	Whitney F G
Callahan	Grattan	Moreland	Shuttleworth	Whitney G H
Carrier	Gray	Murphy	Slocum	Wilsnack
Charles E E	Hammond	Newton	Smith A P	Wilson
Charles W B	Hanford	Ogden	Smith J E	Wood F C
Coon	Hapeman	Parker	Smith J T	Wood F X
Cotton	Hartman	Patton	Standart	Yale
Cowan	Hastings	Perry	Stanley	Young
Cox				

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 92

NOES 46

Those who voted in the affirmative were:

Allen F E	Cunningham	Hubbs	Plank	Stevens
Allen J G	Dale	Hurd	Platt	Tenjost
Bass	Etzel	Kavanaugh	Pratt	Thompson G F
Bedell	Evans	La Rue	Reeve	Thonet
Beebe	Fish	Leggett	Rigby	Waddell
Beihlf	Foelker	Lewis	Rogers	Wade
Bisland	Foster	Maier	Santee	Wadsworth
Brady	Freidel	Matthews C R	Schoeneck	Wainwright
Brooks	Fuller	Mead	Scovill	Wemple
Burnett	Gardner	Merritt	Sheldon	Whitney F G
Cadin	Gates	Miller	Shuttleworth	Whitney G H
Callahan	Grattan	Moreland	Slocum	Wilsnack
Carrier	Gray	Murphy	Smith A P	Wilson
Charles E E	Hammond	Newton	Smith J E	Wood F C
Charles W B	Hanford	Ogden	Smith J T	Wood F X
Coon	Hapeman	Parker	Standart	Yale

Cotton
Cowan
Cox

Hartman
Hastings
Hooker

Patton
Phillips

Stanley
Steele

Young
Speaker

Those who voted in the negative were:

Anderson
Bird
Burns
Burzynski
Byrne
Cahn
Caughlan
Cooke
Dodd
Dowling

Ellis
Everett
Fitzsimons
Francisco
Grady
Hackett
Hornidge
La Fetra
Machacek

Malloy
Mathews T F
McKeown
McManus
Nugent
O'Neill
Palmer
Perry
Prentice

Prince
Quinn
Reilly
Rosenstein
Salomon
Sammon
Shanahan
Sheehy
Sherry

Smith A E
Smith R H
Sullivan
Thompson J A
Tompkins
Wagner
Wedemeyer
Wiegand
Wolf

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Rogers moved that all further proceedings under the close call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

The bill (No. 1944) entitled "An act to amend the Election Law, by providing for a special registration of electors absent from the State" (Int. No. 488), was read the third time, having been printed and upon the desks of the members in its final form at least three callendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

Agnew
Allen J G
Anderson
Apgar
Bass
Becker
Beebe
Beihlf
Bird
Bisland
Brady

Cox
Cunningham
Dale
Donovan
Dowling
Ellis
Evans
Everett
Fish
Fitzsimons
Foelker

Hooker
Hooper
Hornidge
Hubbs
Hurd
Knapp
La Fetra
La Rue
Leggett
Lewis
Machacek

Patton
Pendry
Perry
Phillips
Platt
Pratt
Prentice
Prince
Quinn
Reilly
Rigby

Smith R H
Standart
Stanley
Steele
Stevens
Tenjost
Thompson G F
Thonet
Tompkins
Waddell
Wade

Brooks	Foster	Maier	Rogers	Wagner
Burnett	Francisco	Malloy	Rosenstein	Wadsworth
Burns	Freidel	Mathews T F	Salomon	Wainwright
Byrne	Fuller	Matthews C R	Sammon	Wedemeyer
Cadin	Gardner	McKeown	Schoeneck	West
Cahn	Grady	McManus	Scovill	Wemple
Callahan	Grattan	Merritt	Shanahan	Whitney F G
Carrier	Gray	Miller	Sheehy	Whitney G H
Caughlan	Gurnett	Monroe	Sheldon	Wilsnack
Charles E E	Hackett	Moreland	Sherry	Wilson
Charles W B	Hammond	Newton	Shuttleworth	Wolf
Cooke	Hanford	Nugent	Smith A P	Wood F C
Coon	Hapeman	Ogden	Smith A E	Wood F X
Cotton	Hartman	O'Neill	Smith J E	Yale
Coutant	Hastings	Parker	Smith J T	Young

In the negative:

Palmer

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1957) entitled "An act to amend the Agricultural Law, in relation to the prevention of disease in fruit trees, and the pests that infest the same" (Int. No. 1103), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1954) entitled "An act to amend the Code of Civil Procedure, in relation to the sale, mortgaging or leasing of the contingent interest of infants not in being in real property" (Int. No. 1184), having been announced for a third reading,

Mr. La Rue moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 1, line 3, change the word "from" to "of."

Same page, line 4, change the word "described" to "prescribed," and after the word "made" insert a comma.

Same page, line 3, after the word "dower" insert a comma.

Page 2, line 22, strike out the word "and" and insert the word "or."

Page 3, line 7, strike out the word "attaches" and insert the word "attached."

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Phillips, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 894) entitled "An act to provide for the representation of the State of New York at the Lewis and Clark Centennial Exposition, at Portland, Ore., and reappropriating money heretofore appropriated for such purpose" (Int. No. 783), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 1

Those who voted in the affirmative were:

Agnew	Cowan	Hurd	Phillips	Standart
Allen F E	Cox	Kavanaugh	Plank	Stanley
Allen J G	Dale	Knapp	Platt	Steele
Anderson	Dodd	La Fetra	Pratt	Stevens
Apgar	Dowling	La Rue	Prentice	Sullivan
Bass	Ellis	Lewis	Prince	Tenjost
Becker	Evans	Machacek	Quinn	Thompson J A
Beebe	Everett	Maier	Reeve	Thonet
Beihlf	Fitzsimons	Malloy	Reilly	Tompkins
Bisland	Foelker	Mathews T F	Rigby	Waddell
Brady	Foster	Matthews C R	Rogers	Wade
Brooks	Freidel	McKeown	Rosenstein	Wadsworth
Burnett	Gardner	McManus	Salomon	Wainwright
Burzynski	Gates	Merritt	Sammon	West
Byrne	Grady	Miller	Santee	Wemple
Cadin	Gray	Monroe	Schoeneck	Whitney F G
Cahn	Gurnett	Moreland	Scovill	Whitney G H
Callahan	Hackett	Murphy	Shanahan	Wiegand
Carrier	Hammond	Newton	Sheldon	Wilsnack
Caughlan	Hanford	Nugent	Sherry	Wilson
Charles E E	Hartman	O'Neill	Shuttleworth	Wolf
Charles W B	Hastings	Parker	Smith A P	Wood F C
Coon	Hooker	Patton	Smith A E	Wood F X
Cotton	Hooper	Pendry	Smith J E	Yale
Coutant	Hubbs	Perry	Smith J T	Young

In the negative:

Palmer

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1820) entitled "An act to amend chapter 168 of the Laws of 1894, entitled 'An act in relation to the State dams on the Beaver and Moose rivers,' in relation to the commissioners appointed thereby" (Int. No. 1353), having been announced for a third reading,

Mr. Slocum moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith amended as follows:

In the title strike out the word "four" and insert in place thereof the word "six."

Page 1, line 2, strike out the word "four" and insert the word "six."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Rogers, from the committee on ways and means, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1746) entitled "An act to amend the Stock Corporations Law in relation to the power to borrow money and mortgage property" (Int. No. 1317), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooper	Phillips	Smith R H
Allen F E	Dale	Hubbs	Plank	Standart
Anderson	Dodd	Hurd	Platt	Stanley
Apgar	Donovan	Kavanaugh	Pratt	Steele
Bass	Dowling	Knapp	Prince	Sullivan
Becker	Ellis	La Fetra	Quinn	Tenjost
Bedell	Etzel	Leggett	Reeve	Thompson G F

Beihlf	Evans	Lewis	Reilly	Thompson J A
Bird	Everett	Maier	Rigby	Tompkins
Bisland	Fish	Malloy	Rogers	Waddell
Brooks	Fitzsimons	Mathews T F	Rosenstein	Wade
Burnett	Foster	Matthews C R	Salomon	Wagner
Burzynski	Francisco	McKeown	Sammon	Wadsworth
Byrne	Freidel	McManus	Santee	Wedemeyer
Cadin	Gardner	Merritt	Schoeneck	West
Cahn	Gates	Miller	Scovill	Wemple
Callahan	Grady	Monroe	Shanahan	Whitney F G
Carrier	Grattan	Moreland	Sheehy	Whitney G H
Charles E E	Gray	Newton	Sherry	Wiegand
Charles W B	Gurnett	Nugent	Shuttleworth	Wilson
Cooke	Hackett	O'Neill	Slocum	Wolf
Coon	Hanford	Palmer	Smith A P	Wood F C
Coutant	Hapeman	Patton	Smith A E	Wood F X
Cowan	Hartman	Pendry	Smith J E	Yale
Cox	Hooker	Perry	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1866) entitled "An act to provide for the expense of widening Livingston street in the borough of Brooklyn, in the city of New York" (Int. No. 1368), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	Parker	Smith R H
Allen F E	Cox	Hooker	Patton	Standart
Allen J G	Cunningham	Hornidge	Pendry	Stanley
Anderson	Dale	Hubbs	Perry	Steele
Apgar	Dodd	Hurd	Phillips	Stevens
Bass	Donovan	Kavanaugh	Plank	Sullivan
Becker	Dowling	Knapp	Pratt	Tenjust
Bedell	Ellis	La Fetra	Prince	Thompson G F
Beebe	Etzel	La Rue	Quinn	Thompson J A
Bird	Evans	Lewis	Reeve	Tompkins
Bisland	Everett	Machacek	Rigby	Waddell
Brady	Fish	Maier	Rogers	Wade
Brooks	Fitzsimons	Mathews T F	Rosenstein	Wadsworth
Burnett	Foster	Matthews C R	Salomon	Wainwright
Burns	Francisco	McKeown	Sammon	Wedemeyer

Burzynski	Freidel	McManus	Santee	West
Byrne	Fuller	Mead	Scovill	Wemple
Cadin	Gardner	Miller	Shanahan	Whitney F G
Cahn	Gates	Monroe	Sheehy	Whitney G H
Callahan	Grady	Moreland	Sheldon	Wiegand
Carrier	Grattan	Murphy	Shuttleworth	Wilson
Charles E E	Gray	Newton	Slocum	Wolf
Charles W B	Hackett	Nugent	Smith A P	Wood F C
Cooke	Hammond	Ogden	Smith A E	Wood F X
Coon	Hapeman	O'Neill	Smith J E	Yale
Cotton	Hartman	Palmer	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 864) entitled "An act to amend the County Law relating to county jails" (Int. No. 749), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1890) entitled "An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville,' relating to city elections and city officers" (Int. No. 1378), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooper	Patton	Smith A E
Allen F E	Cowan	Hornidge	Pendry	Smith J E
Allen J G	Cox	Hubbs	Perry	Smith R H
Anderson	Cunningham	Hurd	Phillips	Standart
Apgar	Dale	Kavanaugh	Plank	Stanley
Bass	Dodd	Knapp	Platt	Steele
Bedell	Donovan	La Rue	Pratt	Stevens
Beebe	Dowling	Leggett	Prentice	Sullivan
Beihlf	Etzel	Machacek	Quinn	Tenlost
Bird	Evans	Malloy	Reeve	Thompson G F
Bisland	Everett	Mathews T F	Reilly	Thonet
Brady	Fish	Matthews C R	Rigby	Tompkins

Brooks	Foelker	McKeown	Rogers	Wade
Burnett	Foster	McManus	Rosenstein	Wagner
Burns	Freidel	Mead	Salomon	Wainwright
Burzynski	Fuller	Miller	Sammon	Wedemeyer
Byrne	Gardner	Monroe	Santee	Wemple
Cadin	Grady	Moreland	Schoeneck	Whitney F G
Cahn	Grattan	Murphy	Scovill	Wiegand
Callahan	Gray	Newton	Shanahan	Wilson
Caughlan	Hackett	Nugent	Sheehy	Wolf
Charles E E	Hammond	Ogden	Sheldon	Wood F C
Charles W B	Hanford	O'Neill	Sherry	Wood F X
Cooke	Hartman	Palmer	Shuttleworth	Yale
Coon	Hooker	Parker	Slocum	Young
Cotton				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent.

Mr. Sheldon offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of villages be discharged from the further consideration of Senate bill No. 1078, entitled "An act to authorize the board of trustees of the village of Salamanca, Cattaraugus county, to appoint a board of water commissioners." (Rec. No. 314.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Sheldon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Sheldon, and by unanimous consent, said bill was substituted for Assembly bill No. 1784, Int. No. 1334, same title and subject, now on the order of third reading.

On motion of Mr. Sheldon, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 100

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hartman	Parker	Smith J T
Allen F E	Cowan	Hastings	Patton	Smith R H
Allen J G	Cox	Hooker	Pendry	Standart
Anderson	Cunningham	Hooper	Phillips	Stanley
Bass	Dodd	Hurd	Plank	Stevens
Becker	Donovan	Knapp	Platt	Tenjust
Bedell	Dowling	La Rue	Prentice	Thompson J A
Beebe	Ellis	Leggett	Quinn	Tompkins
Beihilf	Etsel	Machacek	Reilly	Wade
Bisland	Everett	Maier	Rigby	Wainwright
Brady	Fish	Mathews T F	Rosenstein	Wedemeyer
Brooks	Fitzsimons	Matthews C R	Salomon	Wemple
Burns	Foster	McKeown	Santee	Whitney F G
Cadin	Freidel	Mead	Scovill	Whitney G H
Callahan	Fuller	Miller	Shanahan	Wiegand
Carrier	Gardner	Monroe	Sheehy	Wilsnack
Caughlan	Grady	Murphy	Sheldon	Wolf
Charles W B	Gray	Newton	Sherry	Wood F X
Cooke	Hammond	Ogden	Slocum	Yale
Cotton	Hanford	O'Neill	Smith A E	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1784) entitled "An act to authorize the board of trustees of the village of Salamanca, Cattaraugus county, to appoint a board of water commissioners" (Int. No. 1334), having been announced for a third reading,

On motion of Mr. Sheldon, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1864) entitled "An act to prohibit the construction of any railroad on Livingston street in the borough of Brooklyn in the city of New York" (Int. No. 1366), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 123

NOES 00

Those who voted in the affirmative were :

Agnew	Cunningham	Hubbs	Platt	Stanley
Allen F E	Dale	Kavanaugh	Pratt	Steele
Allen J G	Dodd	Knapp	Prentice	Stevens
Apgar	Donovan	La Rue	Prince	Sullivan
Bass	Ellis	Leggett	Quinn	Tenjost
Becker	Etzel	Lewis	Reilly	Thompson G F
Beebe	Everett	Machacek	Rigby	Thonet
Beihliff	Fish	Maier	Rogers	Tompkins
Bird	Fitzsimons	Malloy	Rosenstein	Waddell
Bisland	Foster	Mathews T F	Salomon	Wade
Brooks	Francisco	Matthews C R	Santee	Wagner
Burnett	Freidel	McKeown	Schoeneck	Wainwright
Burns	Fuller	McManus	Scovill	Wedemeyer
Byrne	Gardner	Merritt	Shanahan	West
Cadin	Grady	Miller	Sheehy	Whitney F G
Cahn	Grattan	Moreland	Sheldon	Whitney G H
Carrier	Gray	Newton	Sherry	Wiegand
Caughlan	Gurnett	Nugent	Shuttleworth	Wilsnack
Charles E E	Hammond	Ogden	Smith A P	Wilson
Charles W B	Hanford	Palmer	Smith A E	Wolf
Cooke	Hapeman	Patton	Smith J E	Wood F C
Coon	Hastings	Pendry	Smith J T	Wood F X
Cotton	Hooker	Perry	Smith R H	Yale
Coutant	Hooper	Phillips	Standart	Young
Cowan	Hornidge	Plank		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1946) entitled "An act to amend the State Charities Law, in relation to autopsies at Craig Colony for Epileptics" (Int. No. 458), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were :

Agnew	Cowan	Hooper	Pendry	Smith R H
Allen F E	Cox	Hornidge	Perry	Stanley
Allen J G	Cunningham	Hubbs	Phillips	Steele
Anderson	Dodd	Hurd	Plank	Stevens
Apgar	Donovan	Kavanaugh	Platt	Sullivan
Becker	Dowling	Knapp	Pratt	Thompson G F

Bedell	Etzel	La Fetra	Prentice	Thompson J A
Beebe	Evans	La Rue	Quinn	Thonet
Bird	Everett	Leggett	Reeve	Tompkins
Bisland	Fish	Machacek	Reilly	Wade
Brady	Foelker	Maier	Rigby	Wagner
Brooks	Foster	Malloy	Rosenstein	Wadsworth
Burnett	Francisco	Mathews T F	Salomon	Wedemeyer
Burzynski	Fuller	Matthews C R	Sammon	West
Byrne	Gates	McKeown	Santee	Wemple
Cadin	Grady	McManus	Scovill	Whitney F G
Cahn	Grattan	Merritt	Shanahan	Whitney G H
Callahan	Gurnett	Miller	Sheehy	Wiegand
Carrier	Hackett	Monroe	Sheldon	Wilsnack
Charles E E	Hammond	Murphy	Shuttleworth	Wilson
Charles W B	Hanford	Newton	Slocum	Wolf
Cooke	Hapeman	Ogden	Smith A P	Wood F C
Coon	Hartman	O'Neill	Smith A E	Wood F X
Cotton	Hastings	Palmer	Smith J E	Yale
Coutant	Hooker	Parker	Smith J T	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1744) entitled "An act to amend chapter 823 of the Laws of 1895, entitled 'An act to regulate barbering on Sunday,' in relation to the borough of Richmond" (Int. No. 1315), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Pendry	Smith R H
Allen F E	Cunningham	Hubbs	Perry	Stanley
Allen J G	Dale	Hurd	Phillips	Steele
Anderson	Dodd	Kavanaugh	Plank	Stevens
Apgar	Donovan	Knapp	Pratt	Sullivan
Becker	Dowling	La Fetra	Prentice	Tenjost
Bedell	Ellis	La Rue	Prince	Thompson G F
Beebe	Etzel	Leggett	Quinn	Thompson J A
Beihlf	Evans	Lewis	Reeve	Thonet
Bird	Fish	Machacek	Reilly	Tompkins
Bisland	Fitzsimons	Maier	Rigby	Wade
Brady	Foelker	Malloy	Rosenstein	Wagner
Brooks	Foster	Mathews T F	Salomon	Wadsworth
Burnett	Freidel	Matthews C R	Sammon	Wainwright
Burns	Fuller	McKeown	Santee	West

Burzynski	Gates	McManus	Schoeneck	Wemple
Cadin	Grady	Mead	Shanahan	Whitney F G
Cahn	Grattan	Merritt	Sheehy	Whitney G H
Callahan	Gurnett	Monroe	Sheldon	Wiegand
Caughlan	Hackett	Moreland	Sherry	Wilsnack
Charles E E	Hammond	Murphy	Shuttleworth	Wolf
Cooke	Hapeman	Nugent	Smith A P	Wood F C
Coon	Hartman	Ogden	Smith A E	Wood F X
Cotton	Hastings	O'Neill	Smith J E	Yale
Coutant	Hooker	Parker	Smith J T	Young
Cowan	Hooper	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent.

Mr. Stanley offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Senate bill No. 956, entitled "An act to authorize the Supreme Court to hear and determine any application made to revise and correct the first separate report of the commissioners of appraisal appointed in proceedings instituted by the city of New York to acquire title to lands for St. Nicholas park and to grant in respect thereto such relief as may be just and equitable." (Rec. No. 273.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Stanley, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Stanley, and by unanimous consent, said bill was substituted for Assembly bill No. 1177, Int. No. 979, same title and subject, now on the order of third reading.

On motion of Mr. Stanley, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1177) entitled "An act to authorize the Supreme Court to hear and determine any application made to revise and correct the first separate report of the commissioners of appraisal appointed in proceedings instituted by the city of New York to acquire title to lands for St. Nicholas park and to grant in

respect thereto such relief as may be just and equitable" (Int. No. 979), having been announced for a third reading,

On motion of Mr. Stanley, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1897) entitled "An act authorizing the towns of Louisville, Madrid and Waddington, in the county of St. Lawrence to issue bonds for the payment of the cost of the construction of a bridge over De Grasse river, and of the costs of legal proceedings in respect to such bridge, and for certain other purposes" (Int. No. 1385), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hapeman	Ogden	Slocum
Allen F E	Coutant	Hartman	Palmer	Smith A P
Allen J G	Cowan	Hastings	Parker	Smith A E
Anderson	Cox	Hooker	Patton	Smith J E
Apgar	Cunningham	Hooper	Pendry	Smith R H
Bass	Dale	Hornidge	Perry	Stanley
Becker	Dodd	Hubbs	Phillips	Steele
Bedell	Donovan	Hurd	Plank	Sullivan
Beebe	Dowling	Knapp	Platt	Thompson G F
Beihilf	Ellis	La Fetra	Pratt	Thompson J A
Bird	Evans	La Rue	Prentice	Thonet
Bisland	Everett	Loggett	Prince	Tompkins
Brady	Fish	Lewis	Reeve	Wade
Brooks	Fitzsimons	Machacek	Reilly	Wagner
Burnett	Foster	Maier	Rigby	Wainwright
Burns	Francisco	Malloy	Rogers	Wedemeyer
Burzynski	Freidel	Mathews T F	Rosenstein	Wemple
Byrne	Gardner	Matthews C R	Salomon	Whitney G H
Cadin	Gates	McKeown	Sammon	Wiegand
Cahn	Grady	McManus	Santee	Wilson
Callahan	Grattan	Mead	Schoeneck	Wolf
Carrier	Gray	Miller	Scovill	Wood F C
Charles E E	Gurnett	Monroe	Sheehy	Wood F X
Charles W B	Hackett	Murphy	Sheldon	Yale
Cooke	Hammond	Newton	Shuttleworth	Young
Coon	Hanford	Nugent		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1533) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Syracuse against the State for unpaid assessments for local improvements charged by said city against the State on account of lands owned by it within said city and for the amount alleged to be due thereon and to render judgment therefor" (Int. No. 1199), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hubbs	Phillips	Smith J T
Allen F E	Cunningham	Hurd	Plank	Smith R H
Anderson	Dale	Knapp	Platt	Stanley
Apgar	Dodd	La Fetra	Pratt	Steele
Bass	Donovan	La Rue	Prentice	Stevens
Becker	Ellis	Lewis	Prince	Sullivan
Bedell	Etzel	Maier	Quinn	Thompson G F
Beebe	Evans	Malloy	Reeve	Thompson J A
Beihliff	Fish	Mathews T F	Reilly	Thonet
Bird	Fitzsimons	Matthews C R	Rigby	Tompkins
Brady	Foelker	McKeown	Rogers	Waddell
Brooks	Francisco	McManus	Rosenstein	Wade
Burnett	Freidel	Merritt	Salomon	Wadsworth
Burns	Fuller	Miller	Sammon	Wainwright
Byrne	Gardner	Monroe	Santee	Wedemeyer
Cadin	Grady	Murphy	Schoeneck	Wenple
Callahan	Grattan	Newton	Scovill	Whitney F G
Carrier	Gurnett	Nugent	Shanahan	Whitney G H
Caughlan	Hackett	Ogden	Sheehy	Wiegand
Charles E E	Hammond	O'Neill	Sheldon	Wilsnack
Charles W B	Hanford	Palmer	Sherry	Wilson
Cooke	Hartman	Parker	Shuttleworth	Wood F C
Coon	Hastings	Patton	Slocum	Wood F X
Cotton	Hooker	Pendry	Smith A P	Yale
Cowan	Hornidge	Perry	Smith J E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1972) entitled "An act relating to the acquisition of property by the city of New York for a water supply, and

providing for prompt payment therefor, and for damages occasioned by the acquisition thereof; providing for use and care of reservoirs owned by said city; and providing for the construction and maintenance of highways and bridges" (Int. No. 1318), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Pendry	Smith J E
Allen F E	Cunningham	Hornidge	Perry	Smith J T
Allen J G	Dale	Hubbs	Phillips	Standart
Apgar	Dodd	Hurd	Plank	Stanley
Bass	Donovan	Knapp	Platt	Steele
Bedell	Dowling	La Rue	Prentice	Stevens
Beebe	Etzel	Leggett	Quinn	Sullivan
Beihlf	Evans	Lewis	Reeve	Thompson G F
Bird	Everett	Machacek	Reilly	Thompson J A
Bisland	Fish	Maier	Rigby	Thonet
Brooks	Fitzsimons	Malloy	Rogers	Tompkins
Burnett	Foelker	Mathews T F	Rosenstein	Waddell
Burzynski	Francisco	Matthews C R	Salomon	Wade
Byrne	Freidel	McKeown	Sammon	Wagner
Cadin	Fuller	McManus	Santee	Wadsworth
Cahn	Gardner	Mead	Schoeneck	Wedemeyer
Callahan	Grady	Miller	Scovill	West
Carrier	Grattan	Monroe	Shanahan	Wemple
Caughlan	Gray	Moreland	Sheehy	Whitney G H
Charles W B	Hackett	Newton	Saeldon	Wiegand
Cooke	Hammond	Nugent	Sherry	Wilson
Coon	Hanford	Ogden	Shuttleworth	Wolf
Cotton	Hapeman	O'Neill	Slocum	Wood F X
Coutant	Hartman	Parker	Smith A P	Yale
Cowan	Hastings	Patton	Smith A E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1862) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William Hill against the State of New York, for salary due him for services rendered to the State of New

York while employed as purchasing steward's clerk in the office of Mr. F. A. Wheeler, purchasing steward for the Long Island and Manhattan State Hospital, under civil service appointment" (Int. No. 1364), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hastings	Pendry	Smith J T
Allen J G	Cunningham	Hooker	Perry	Smith R H
Anderson	Dale	Hornidge	Phillips	Stanley
Apgar	Dodd	Hubbs	Plank	Steele
Bass	Donovan	Kavanaugh	Platt	Stevens
Becker	Dowling	Knapp	Pratt	Tenjost
Bedell	Ellis	La Fetra	Prentice	Thompson G F
Beebe	Etzel	La Rue	Prince	Thompson J A
Beihliff	Evans	Lewis	Quinn	Thonet
Bird	Everett	Machacek	Reilly	Tompkins
Brady	Fish	Maier	Rigby	Waddell
Brooks	Fitzsimons	Mathews T F	Rogers	Wagner
Burnett	Foelker	Matthews C R	Rosenstein	Wadsworth
Burns	Francisco	McKeown	Salomon	Wainwright
Byrne	Freidel	McManus	Santee	Wedemeyer
Cadin	Fuller	Mead	Schoeneck	West
Cahn	Gardner	Miller	Scovill	Wemple
Carrier	Gates	Monroe	Shanahan	Whitney G H
Caughlan	Grattan	Murphy	Sheehy	Wiegand
Charles E E	Gray	Newton	Sheldon	Wilson
Charles W B	Gurnett	Ogden	Sherry	Wolf
Cooke	Hackett	O'Neill	Shuttleworth	Wood F C
Coon	Hammond	Palmer	Smith A P	Wood F X
Cotton	Hapeman	Parker	Smith A E	Yale
Coutant	Hartman	Patton	Smith J E	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2020) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,' relative to the construction of elevated railways in city streets" (Int. No. 507), was read the third time, having been printed and upon the desks

of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Pendry	Smith R H
Allen F E	Cox	Hornidge	Perry	Standart
Allen J G	Dale	Hurd	Phillips	Stanley
Anderson	Dodd	Kavanaugh	Plank	Steele
Apgar	Donovan	Knapp	Platt	Stevens
Bass	Dowling	La Fetra	Prentice	Sullivan
Becker	Etzel	La Rue	Prince	Tenjost
Bedell	Evans	Leggett	Quinn	Thompson J A
Beebe	Everett	Lewis	Reeve	Thonet
Beihliff	Fitzsimons	Machacek	Reilly	Tompkins
Bird	Foelker	Maier	Rigby	Waddell
Bisland	Foster	Malloy	Rogers	Wade
Brooks	Francisco	Mathews T F	Rosenstein	Wagner
Burnett	Freidel	Matthews C R	Salomon	Wainwright
Burns	Fuller	McKeown	Sammon	Wedemeyer
Burzynski	Gates	McManus	Santee	West
Byrne	Grady	Merritt	Schoeneck	Wemple
Cahn	Grattan	Miller	Scovill	Whitney G H
Callahan	Gray	Monroe	Shanahan	Wiegand
Carrier	Gurnett	Murphy	Sheehy	Wilson
Caughlan	Hammond	Newton	Sherry	Wolf
Charles E E	Hanford	Nugent	Shuttleworth	Wood F C
Charles W B	Hapeman	O'Neill	Slocum	Wood F X
Cooke	Hartman	Parker	Smith J T	Yale
Cotton	Hastings	Patton	Smith J E	Young
Coutant	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2010) entitled "An act to amend the Code of Criminal Procedure, relative to the persons who may be present during the sessions of a grand jury" (Int. No. 450). was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Patton	Smith J T
Allen F E	Cunningham	Hornidge	Pendry	Standart
Allen J G	Dale	Hubbs	Perry	Stanley
Anderson	Dodd	Hurd	Phillips	Steele
Appar	Donovan	Kavanaugh	Plank	Stevens
Bass	Dowling	Knapp	Platt	Sullivan
Becker	Ellis	La Fetra	Pratt	Tenjust
Beebe	Etzel	Leggett	Prentice	Thompson G F
Beihlf	Evans	Lewis	Prince	Thonet
Bird	Everett	Machacek	Quinn	Tompkins
Bisland	Fitzsimons	Maier	Reeve	Wade
Brooks	Foster	Malloy	Reilly	Wagner
Burnett	Francisco	Mathews T F	Rigby	Wainwright
Burns	Freidel	Matthews C R	Rosenstein	Wedemeyer
Burzynski	Fuller	McKeown	Salomon	West
Cadin	Gardner	McManus	Sammon	Wemple
Cahn	Gates	Mead	Santee	Whitney G H
Callahan	Grattan	Miller	Schoeneck	Wiegand
Carrier	Gray	Monroe	Scovill	Wilsnack
Caughlan	Gurnett	Moreland	Sheehy	Wilson
Charles E E	Hackett	Newton	Sheldon	Wolf
Charles W B	Hammond	Nugent	Sherry	Wood F C
Cooke	Hanford	Ogden	Shuttleworth	Wood F X
Coon	Hapeman	O'Neill	Smith A P	Yale
Cotton	Hartman	Palmer	Smith A E	Young
Cowan	Hastings	Parker	Smith J E	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 746, Assembly reprint No. 1997) entitled "An act to amend chapter 506 of the Laws of 1902, entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village and to prescribe their powers and duties'" (Rec. No. 204), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 1

Those who voted in the affirmative were:

Agnew	Cunningham	Hubbs	Phillips	Smith R H
Allen F E	Dale	Hurd	Plank	Standart
Anderson	Dodd	Knapp	Platt	Stanley
Apgar	Donovan	La Fetra	Pratt	Steele
Bass	Ellis	La Rue	Prentice	Sullivan
Becker	Etzel	Leggett	Prince	Tenjost
Bedell	Everett	Machaeck	Quinn	Thompson J A
Beihilf	Fish	Maier	Reeve	Thonet
Bird	Fitzsimons	Malloy	Reilly	Tompkins
Bisland	Foster	Mathews T F	Rigby	Wade
Brady	Francisco	Matthews C R	Rogers	Wagner
Burnett	Freidel	McKeown	Rosenstein	Wadsworth
Burns	Fuller	McManus	Salomon	Wainwright
Burzynski	Gardner	Merritt	Sammon	Wedemeyer
Byrne	Gates	Miller	Santee	West
Cahn	Grattan	Monroe	Schoeneck	Wemple
Callahan	Gray	Moreland	Scovill	Whitney G H
Carrier	Hackett	Murphy	Shanahan	Wiegand
Charles E E	Hammond	Newton	Sheehy	Wilsnack
Charles W B	Hanford	Ogden	Sheldon	Wilson
Cooke	Hapeman	O'Neill	Sherry	Wolf
Cotton	Hartman	Parker	Shuttleworth	Wood F C
Coutant	Hastings	Patton	Slocum	Yale
Cowan	Hooker	Pendry	Smith A P	Young
Cox	Hornidge	Perry	Smith A E	

In the negative:

Palmer

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The bill (No. 1347) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James Brown against the State of New York, for damages to the canal boat Maggie Mills at the city of Utica, on or about the 25th day of June, 1903" (Int. No. 1096), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Parker	Smith R H
Allen F E	Cox	Hornidge	Patton	Standart
Allen J G	Dale	Hubbs	Pendry	Steele
Anderson	Dodd	Hurd	Perry	Stevens J
Bass	Donovan	Knapp	Phillips	Sullivan
Becker	Dowling	La Fetra	Plank	Tenjost
Bedell	Ellis	La Rue	Platt	Thompson G J F
Beebe	Evans	Leggett	Pratt	Thonet
Beihliff	Fish	Machacek	Prentice	Tompkins
Bird	Fitzsimons	Maier	Quinn	Waddell
Brady	Foster	Malloy	Reeve	Wagner
Brooks	Francisco	Mathews T F	Reilly	Wadsworth
Burnett	Freidel	Matthews C R	Rigby	Wainwright
Burns	Gardner	McKeown	Rogers	Wedemeyer
Burzynski	Gates	McManus	Salomon	West
Byrne	Grady	Mead	Sammon	Wemple
Cahn	Grattan	Miller	Santee	Whitney G H
Callahan	Gray	Monroe	Scovill	Wiegand
Carrier	Gurnett	Moreland	Shanahan	Wilsnack
Caughlan	Hammond	Murphy	Sheldon	Wilson
Charles E E	Hanford	Newton	Sherry	Wolf
Charles W B	Hartman	Ogden	Slocum	Wood F C
Cooke	Hastings	O'Neill	Smith A E	Yale
Coon	Hooker	Palmer	Smith J E	Young
Coutant				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1913) entitled "An act to locate and designate a site for a public library in the borough of Brooklyn upon lands owned by the city of New York" (Int. No. 935), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hapeman	Nugent	Standart
Allen F E	Cox	Hartman	Ogden	Stanley
Allen J G	Cunningham	Hastings	O'Neill	Steele
Anderson	Dodd	Hooker	Parker	Stevens

Appar	Donovan	Hornidge	Patton	Sullivan
Becker	Dowling	Hubbs	Pendry	Tenjust
Bedell	Ellis	Hurd	Perry	Thompson G F
Beebe	Evans	Kavanaugh	Plank	Thompson J A
Beihlf	Everett	La Fetra	Platt	Tompkins
Bisland	Fish	La Rue	Pratt	Waddell
Brady	Foelker	Leggett	Prince	Wade
Brooks	Foster	Lewis	Reeve	Wagner
Burnett	Francisco	Machacek	Rigby	Wainwright
Burns	Freidel	Maier	Rogers	Wadsworth
Burzynski	Fuller	Malloy	Salomon	Wemple
Byrne	Gardner	Mathews T F	Santee	Whitney F G
Cadin	Gates	Matthews C R	Schoeneck	Whitney G H
Cahn	Grady	McKeown	Shanahan	Wiegand
Callahan	Grattan	McManus	Sheldon	Wilsnack
Carrier	Gray	Mead	Sherry	Wilson
Caughlan	Gurnett	Merritt	Slocum	Wolf
Charles E E	Hackett	Miller	Smith A E	Wood F C
Cooke	Hammond	Moreland	Smith J E	Yale
Coon	Hanford	Murphy	Smith R H	Young
Coutant				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2015) entitled "An act to provide for the licensing of engineers and firemen operating a steam stationary engine or engines, steam stationary boiler or boilers in the State of New York in cities, excepting cities of the first class" (Int. No. 706), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 2016) entitled "An act to amend the Liquor Tax Law, in relation to the violation and the penalties for a violation of such law twice during the term of any one certificate" (Int. No. 1129), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 2027) entitled "An act to amend the Public Health Law, in relation to the relief of indigent Indians in case of epidemic" (Int. No. 291), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hapeman	O'Neill	Smith J E
Allen F E	Cox	Hartman	Palmer	Smith J T
Allen J G	Cunningham	Hastings	Parker	Smith R H
Anderson	Dale	Hooker	Patton	Standart
Apgar	Dodd	Hornidge	Pendry	Stanley
Bass	Donovan	Hubbs	Perry	Steele
Becker	Dowling	Hurd	Phillips	Stevens
Bedell	Ellis	Knapp	Platt	Sullivan
Becker	Etzel	La Petra	Pratt	Tenjost
Beihulf	Evans	La Rue	Prentice	Thompson G F
Bird	Everett	Leggett	Prince	Thompson J A
Bisland	Fish	Machacek	Quinn	Tompkins
Brady	Fitzsimons	Maier	Reeve	Waddell
Brooks	Foelker	Malloy	Reilly	Wade
Burnett	Francisco	Mathews T F	Rogers	Wagner
Burns	Freidel	Matthews C R	Rosenstein	Wadsworth
Burzynski	Fuller	McKeown	Salomon	Wainwright
Byrne	Gardner	McManus	Santee	Wedemeyer
Cadin	Gates	Mead	Schoeneck	West
Cahn	Grady	Merritt	Scovill	Whitney G H
Callahan	Grattan	Miller	Sheehy	Wiegand
Carrier	Gray	Monroe	Sheldon	Wilsnack
Caughlan	Gurnett	Moreland	Sherry	Wolf
Charles W B	Hackett	Murphy	Shuttleworth	Wood F X
Cooke	Hammond	Newton	Smith A P	Yale
Coon	Hanford	Nugent	Smith A E	Young
Cotton				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2029) entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of the Court of Claims" (Int. No. 682), having been announced for a third reading,

On motion of Mr. Cox, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 2028) entitled "An act to amend the Village Law, in relation to village elections" (Int. No. 592), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Knapp	Plank	Smith R H
Allen F E	Dodd	La Fetra	Platt	Standart
Allen J G	Dowling	La Rue	Pratt	Stanley
Anderson	Ellis	Lewis	Prentice	Steele
Apgar	Etzel	Machaceck	Prince	Stevens
Bass	Evans	Maier	Quinn	Sullivan
Becker	Fish	Malloy	Reeve	Tenjost
Bedell	Fitzsimons	Mathews T F	Reilly	Thompson G F
Beihilf	Foelker	Matthews C R	Rigby	Thompson J A
Bisland	Foster	McKeown	Rogers	Thonet
Brady	Francisco	McManus	Rosenstein	Tompkins
Burnett	Fuller	Mead	Salomon	Waddell
Burns	Gardner	Miller	Sammon	Wade
Burzinski	Gates	Monroe	Santee	Wagner
Cadin	Grady	Moreland	Schoeneck	Wadsworth
Cahn	Gray	Murphy	Scovill	Wedemeyer
Callahan	Gurnett	Newton	Shanahan	West
Carrier	Hackett	Nugent	Sheehy	Wemple
Caughlan	Hammond	Ogden	Sheldon	Whitney G H
Charles E E	Hanford	O'Neill	Sherry	Wiegand
Charles W B	Hapeman	Palmer	Shuttleworth	Wilsnack
Cooke	Hooker	Parker	Slocum	Wilson
Coon	Hooper	Patton	Smith A P	Wolf
Cotton	Hornidge	Pendry	Smith A M	Wood F X
Cowan	Hurd	Perry	Smith J E	Yale
Cox	Kavanaugh	Phillips	Smith J T	Young
Cunningham				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2017) entitled "An act to amend chapter 300 of the Laws of 1904, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' authorizing the city of Niagara Falls to issue sewer bonds, and to legalize sewer bonds of said city already issued, and to provide for the payment of certain deficiencies in the city funds existing on January 1, 1905" (Int. No. 1284), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 60

Those who voted in the affirmative were:

Agnew	Cox	Hooper	Pendry	Smith J T
Allen F E	Cunningham	Hubbs	Perry	Standart
Allen J G	Dale	Hurd	Plank	Stanley
Apgar	Dodd	Kavanaugh	Platt	Steele
Bass	Donovan	La Fetra	Pratt	Sullivan
Becker	Dowling	La Rue	Prentice	Tenjust
Beebe	Ellis	Leggett	Prince	Thompson J A
Bird	Evans	Lewis	Quinn	Thonet
Bisland	Everett	Maier	Reilly	Tompkins
Brady	Fitzsimons	Malloy	Rigby	Wade
Brooks	Foelker	Mathews T F	Rogers	Wagner
Burnett	Foster	Mathews C R	Rosenstein	Wainwright
Burns	Francisco	McKeown	Salomon	Wedemeyer
Burzynski	Freidel	McManus	Sammon	West
Byrne	Gardner	Mead	Santee	Wemple
Cadin	Gates	Miller	Schoeneck	Whitney F G
Cahn	Grattan	Monroe	Scovill	Whitney G H
Callahan	Gray	Murphy	Shanahan	Wiegand
Carrier	Gurnett	Newton	Sheldon	Wilson
Charles E E	Hammond	Ogden	Sherry	Wolf
Cooke	Hanford	O'Neill	Shuttleworth	Wood F C
Coon	Hapeman	Palmer	Slocum	Wood F X
Cotton	Hartman	Parker	Smith A E	Yale
Coutant	Hastings	Patton	Smith J E	Young
Cowan	Hooker			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2018) entitled "An act to amend chapter 357 of the Laws of 1903, entitled 'An act to provide for the payment of a salary to Frederick A. King, probation officer in the city magistrates' courts of the first division, of the city of New York,' relative to payment of salary to said Frederick A. King's successor or substitute" (Int. No. 313), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 143

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Pendry	Smith J T
Allen F E	Dale	Hubbs	Perry	Smith R H
Allen J G	Dodd	Hurd	Phillips	Standart
Anderson	Donovan	Kavanaugh	Plank	Stanley
Apgar	Ellis	Knapp	Platt	Steele
Bass	Etzel	La Fetra	Pratt	Stevens
Becker	Evans	La Rue	Prentice	Sullivan
Bedell	Everett	Leggett	Prince	Thompson G F
Beebe	Fish	Lewis	Quinn	Thompson J A
Beihlf	Fitzsimons	Machaceck	Reeve	Thonet
Bird	Foelker	Maier	Reilly	Tompkins
Bisland	Foster	Malloy	Rigby	Waddell
Brady	Francisco	Mathews T F	Rogers	Wade
Brooks	Freidel	Matthews C R	Rosenstein	Wagner
Burnett	Fuller	McKeown	Salomon	Wadsworth
Burns	Gardner	McManus	Sammon	Wedemeyer
Burzynski	Gates	Mead	Santee	West
Byrne	Grady	Merritt	Schoeneck	Wemple
Cadin	Grattan	Miller	Scovill	Whitney F G
Cahn	Gray	Monroe	Shanahan	Whitney G H
Callahan	Gurnett	Moreland	Sheehy	Wiegand
Carrier	Hackett	Murphy	Sheldon	Wilsnack
Caughlan	Hammond	Newton	Sherry	Wilson
Charles W B	Hanford	Nugent	Shuttleworth	Wolf
Cooke	Hapeman	Ogden	Slocum	Wood F C
Cotton	Hartman	O'Neill	Smith A P	Wood F X
Coutant	Hastings	Palmer	Smith A E	Yale
Cowan	Hooker	Parker	Smith J E	Young
Cox	Hooper	Patton		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2019) entitled "An act to amend chapter 441 of the Laws of 1899, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to Oneida county" (Int. No. 1356), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 144

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Patton	Smith R H
Allen F E	Cox	Hooper	Pendry	Stanley
Allen J G	Cunningham	Hornidge	Perry	Steele
Anderson	Ellis	Hubbs	Phillips	Stevens
Apgar	Dodd	Hurd	Plank	Sullivan
Bass	Donovan	Kavanaugh	Platt	Tenjost
Becker	Dowling	Knapp	Pratt	Thompson G F
Bedell	Ellis	La Fetra	Prentice	Thompson J A
Beebe	Etzel	La Rue	Prince	Thonet
Beihlf	Evans	Leggett	Quinn	Tompkins
Bird	Everett	Lewis	Reeve	Waddell
Bisland	Fish	Maier	Reilly	Wade
Brady	Fitzsimons	Malloy	Rigby	Wagner
Brooks	Foster	Mathews T F	Rosenstein	Wadsworth
Burnett	Francisco	Mathews C R	Salomon	Wainwright
Burns	Freidel	McKeown	Sammon	Wedemeyer
Burzynski	Fuller	McManus	Santee	West
Byrne	Gardner	Mead	Schoeneck	Wemple
Cadin	Gates	Merritt	Scovill	Whitney F G
Cahn	Grady	Miller	Shanahan	Whitney G H
Callahan	Grattan	Monroe	Sheehy	Wiegand
Carrier	Gray	Moreland	Sheldon	Wilsnack
Caughlan	Gurnett	Murphy	Sherry	Wilson
Charles E E	Hackett	Newton	Shuttleworth	Wolf
Charles W B	Hammond	Nugent	Slocum	Wood F C
Cooke	Hanford	Ogden	Smith A P	Wood F X
Coon	Hapeman	O'Neill	Smith A E	Yale
Cotton	Hartman	Palmer	Smith J E	Young
Coutant	Hastings	Parker	Smith J T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2012) entitled "An act to amend the State Charities Law, by providing for the management of the New York State Training School for Boys, and the commitment thereto of boys under the age of sixteen years" (Int. No. 1173), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hanford	Parker	Smith A E
Allen F E	Cowan	Hartman	Patton	Smith J E
Allen J G	Cox	Hooker	Pendry	Smith J T
Anderson	Cunningham	Hooper	Perry	Smith R H
Apgar	Dale	Hornidge	Phillips	Standart
Bass	Dodd	Hubbs	Plank	Stanley
Becker	Donovan	Hurd	Platt	Steele
Bedell	Dowling	Knapp	Pratt	Stevens
Beebe	Ellis	La Fetra	Prentice	Tenjost
Beihlf	Etzel	La Rue	Prince	Thompson G F
Bird	Evans	Leggett	Quinn	Thompson J A
Bisland	Everett	Lewis	Reeve	Tonpkins
Brady	Fish	Malloy	Reilly	Waddell
Brooks	Fitzsimons	Mathews T F	Rigby	Wagner
Burnett	Foelker	Matthews C R	Rogers	Wainwright
Burns	Foster	McKeown	Rosenstein	Wedemeyer
Burzynski	Francisco	McManus	Salomon	West
Byrne	Freidel	Mead	Santee	Wemple
Cadin	Fuller	Miller	Schoeneck	Whitney F G
Cahn	Gardner	Monroe	Scovill	Whitney G H
Callahan	Gates	Moreland	Shanahan	Wilsnack
Carrier	Grady	Murphy	Sheehy	Wilson
Caughlan	Grattan	Newton	Sheldon	Wolf
Charles E E	Gray	Nugent	Sherry	Wood F C
Charles W B	Gurnett	Ogden	Shuttleworth	Wood F X
Cooke	Hackett	O'Neill	Slocum	Yale
Coon	Hammond	Palmer	Smith A P	Young
Cotton				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill, (No. 2011) entitled "An act to amend chapter 44 of the Laws of 1853, entitled 'An act for the better support of the poor in the town of Newburgh in the county of Orange,' in relation to the corporate name and terms of the commissioners of the almshouse" (Int. No. 382), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hastings	Patton	Smith J T
Allen F E	Cunningham	Hooker	Pendry	Smith R H
Anderson	Dale	Hornidge	Perry	Stanley
Apgar	Donovan	Hubbs	Phillips	Steele
Becker	Dowling	Hurd	Plank	Stevens
Bedell	Ellis	Kavanaugh	Pratt	Sullivan
Beihliff	Etzel	Knapp	Prentice	Tenjust
Bird	Evans	La Fetra	Prince	Thompson G F
Bisland	Everett	La Rue	Quinn	Thompson J A
Brady	Fish	Lewis	Reilly	Tompkins
Brooks	Fitzsimons	Machacek	Rigby	Waddell
Burnett	Foelker	Maier	Rogers	Wagner
Burns	Francisco	Malloy	Rosenstein	Wadsworth
Burzynski	Freidel	Mathews T F	Salomon	Wainwright
Byrne	Fuller	Matthews C R	Sammon	West
Cahn	Gardner	McKeown	Schoeneck	Wemple
Callahan	Gates	McManus	Scovill	Whitney F G
Carrier	Grady	Merritt	Shanahan	Whitney G H
Caughlan	Grattan	Miller	Sheehy	Wiegand
Charles E E	Gray	Moreland	Sheldon	Wilsnack
Charles W B	Gurnett	Newton	Shuttleworth	Wilson
Cooke	Hackett	Nugent	Slocum	Wood F C
Coon	Hammond	Ogden	Smith A P	Wood F X
Cotton	Hapeman	O'Neill	Smith A E	Yale
Coutant	Hartman	Parker	Smith J E	Young
Cowan				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same, and request the concurrence of the Senate therein.

The bill (No. 2009) entitled "An act to amend the Real Property Law, relative to the postponement or subordination of liens upon real property" (Int. No. 210), having been announced for a third reading,

Mr. Hammond moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Page 1, line 5, strike out the figures "210" and insert in place thereof the figures "240."

Page 2, lines 9 and 10, underscore the words "and an instrument postponing or subordinating a mortgage lien."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 2013) entitled "An act to amend chapter 580 of the Laws of 1902, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' relative to jurors" (Int. No. 1211), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hastings	Patton	Smith J E
Allen F E	Cox	Hooker	Pendry	Smith R H
Allen J G	Cunningham	Hooper	Perry	Standart
Anderson	Dale	Hornidge	Phillips	Stanley
Bass	Dodd	Hurd	Plank	Steele
Becker	Donovan	Kavanaugh	Pratt	Stevens
Bedell	Dowling	Knapp	Prentice	Sullivan
Beebe	Ellis	La Rue	Prince	Tenjost
Bird	Etzel	Leggett	Quinn	Thompson G F
Bisland	Evans	Machacek	Reeve	Thonet
Brady	Everett	Maier	Rigby	Tompkins
Brooks	Fish	Malloy	Rogers	Waddell
Burnett	Fitzsimons	Mathews T F	Rosenstein	Wagner
Burns	Foster	Matthews C R	Salomon	Wadsworth
Burzynski	Francisco	McKeown	Sammon	Wedemeyer
Byrne	Freidel	McManus	Santee	West
Cadin	Fuller	Merritt	Schoeneck	Whitney F G
Cahn	Gates	Miller	Shanahan	Wiegand
Callahan	Grady	Monroe	Sheehy	Wilsnack
Carrier	Gurnett	Moreland	Sheldon	Wilson
Caughlan	Gray	Murphy	Sherry	Wolf
Charles W B	Hackett	Nugent	Shuttleworth	Wood F C
Cooke	Hammond	Ogden	Slocum	Wood F X
Coon	Hanford	O'Neill	Smith A P	Yale
Cotton	Hapeman	Palmer	Smith A E	Young
Coutant	Hartman	Parker		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 2014) entitled "An act to amend the Liquor Tax Law, in relation to two violations of the law during term of

one certificate" (Int. No. 1128), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 1

Those who voted in the affirmative were:

Agnew	Dodd	Hubbs	Pendry	Smith R H
Allen F E	Donovan	Hurd	Perry	Standart
Allen J G	Dowling	Kavanaugh	Plank	Stanley
Anderson	Ellis	Knapp	Platt	Steele
Apgar	Etzel	La Fetra	Pratt	Stevens
Bass	Evans	La Rue	Prentice	Sullivan
Becker	Everett	Leggett	Prince	Tenjost
Bedell	Fish	Lewis	Quinn	Thompson G F
Beebe	Fitzsimons	Maier	Reeve	Thompson J A
Beihilf	Foster	Malloy	Reilly	Thonet
Bird	Francisco	Mathews T F	Rigby	Tompkins
Brady	Freidel	Matthews C R	Rogers	Waddell
Brooks	Fuller	McKeown	Rosenstein	Wagner
Burnett	Gardner	McManus	Salomon	Wadsworth
Burzynski	Gates	Mead	Sammon	Wainwright
Byrne	Grady	Merritt	Santee	Wedemeyer
Cahn	Grattan	Miller	Schoeneck	West
Callahan	Gray	Monroe	Scovill	Wemple
Carrier	Gurnett	Moreland	Shanahan	Whitney F G
Charles E E	Hackett	Murphy	Sheehy	Whitney G H
Charles W B	Hammond	Newton	Sheldon	Wiegand
Coon	Hapeman	Nugent	Shuttleworth	Wilsnack
Cotton	Hartman	Ogden	Slocum	Wilson
Coutant	Hastings	O'Neill	Smith A P	Wood F C
Cowan	Hooker	Palmer	Smith A E	Wood F X
Cox	Hooper	Parker	Smith J E	Yale
Cunningham	Hornidge	Patton	Smith J T	Young

In the negative:

Phillips

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1996) entitled "An act to amend section 727 of the Greater New York charter, relative to the power of the fire commissioner" (Int. No. 666), was read the third time, having

been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 91

NOES 5

Those who voted in the affirmative were:

Allen F E	Gates	Murphy	Scovill	Tompkins
Allen J G	Gray	Newton	Sheldon	Waddell
Anderson	Hackett	Ogden	Sherry	Wade
Bass	Hammond	O'Neill	Shuttleworth	Wagner
Bedell	Hanford	Parker	Slocum	Wadsworth
Beihlf	Hapeman	Patton	Smith A P	Wainwright
Bisland	Hartman	Pendry	Smith A E	West
Brooks	Hastings	Phillips	Smith J E	Wemple
Burnett	Hooker	Perry	Smith J T	Whitney F G
Charles E E	La Rue	Plank	Smith R H	Whitney G H
Charles W B	Machacek	Platt	Standart	Wiegand
Cotton	Maier	Pratt	Stanley	Wilsnack
Etzel	Malloy	Prince	Steele	Wilson
Evans	Matthews C R	Quinn	Stevens	Wolf
Fitzsimons	McManus	Reeve	Sullivan	Wood F C
Foelker	Merritt	Rogers	Tenjust	Wood F X
Foster	Miller	Rosenstein	Thompson G F	Yale
Freidel	Moreland	Santee	Thonet	Young
Gardner				

Those who voted in the negative were:

Cahn	Mathews T F	Palmer	Reilly	Salomon
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate concurrent resolution (No. 163) entitled "Concurrent resolution of the Senate and Assembly proposing amendment to article 7 of the Constitution, relating to improvement of highways" (Rec. No. 106), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 138

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hornidge	Patton	Smith J E
Allen F E	Dodd	Hubbs	Pendry	Smith J T
Allen J G	Donovan	Hurd	Perry	Smith R H
Anderson	Dowling	Kavanaugh	Phillips	Stanley
Apgar	Ellis	Knapp	Plank	Steele
Bass	Etzel	La Fetra	Platt	Stevens
Becker	Everett	La Rue	Pratt	Sullivan
Bedell	Fish	Leggett	Prentice	Thompson G F
Beebe	Fitzsimons	Lewis	Prince	Thompson J A
Beihilf	Foelker	Machacek	Quinn	Thonet
Bird	Foster	Maier	Reeve	Tompkins
Brady	Francisco	Malloy	Reilly	Waddell
Brooks	Freidel	Mathews T F	Rigby	Wade
Burnett	Fuller	Matthews C R	Rosenstein	Wagner
Burns	Gardner	McKeown	Salomon	Wadsworth
Byrne	Gates	McManus	Sammon	Wainwright
Cadin	Grady	Mead	Santee	Wedemeyer
Cahn	Grattan	Merritt	Schoeneck	West
Callahan	Gray	Miller	Scovill	Wemple
Carrier	Gurnett	Monroe	Shanahan	Whitney F G
Caughlan	Hackett	Moreland	Sheehy	Whitney G H
Charles E E	Hammond	Murphy	Sheldon	Wiegand
Charles W B	Hanford	Newton	Sherry	Wilsnack
Cooke	Hapeman	Nugent	Shuttleworth	Wilson
Cotton	Hartman	Ogden	Slocum	Wood F C
Coutant	Hastings	O'Neill	Smith A P	Wood F X
Cowan	Hooker	Palmer	Smith A E	Yale
Cox	Hooper	Parker		

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 915) entitled "An act to amend the Military Code relative to relief from civil or criminal liability, security for and award of costs" (Rec. No. 264), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 1114) entitled "An act to amend section 1092 of the Greater New York charter, in relation to the public school teachers' retirement fund" (Rec. No. 278), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 144

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Patton	Smith J T
Allen F E	Cox	Hornidge	Pendry	Smith R H
Allen J G	Cunningham	Hubbs	Perry	Standart
Anderson	Dale	Hurd	Phillips	Steele
Apgar	Dodd	Kavanaugh	Plank	Stevens
Bass	Donovan	Knapp	Platt	Sullivan
Becker	Dowling	La Fetra	Pratt	Tenjost
Bedell	Ellis	La Rue	Prentice	Thompson G F
Beebe	Etzel	Leggett	Prince	Thompson J A
Beihilf	Evans	Lewis	Quinn	Thonet
Bird	Everett	Machacek	Reeve	Tompkins
Bisland	Fish	Maier	Reilly	Waddell
Brady	Fitzsimons	Malloy	Rigby	Wade
Brooks	Foelker	Mathews T F	Rogers	Wagner
Burnett	Foster	Matthews C R	Rosenstein	Wadsworth
Burns	Francisco	McKeown	Salomon	Wainwright
Burzynski	Freidel	McManus	Sammon	Wedemeyer
Byrne	Fuller	Mead	Santee	West
Cadin	Gates	Merritt	Schoeneck	Wemple
Cahn	Grady	Miller	Scovill	Whitney F G
Callahan	Grattan	Monroe	Shanahan	Whitney G H
Carrier	Gray	Moreland	Sheehy	Wiegand
Caughlan	Hackett	Murphy	Sheldon	Wilsnack
Charles E E	Hammond	Newton	Sherry	Wilson
Charles W B	Hanford	Nugent	Shuttleworth	Wolf
Cooke	Hapeman	Ogden	Slocum	Wood F C
Coon	Hartman	O'Neill	Smith A P	Yale
Cotton	Hastings	Palmer	Smith A E	Young
Coutant	Hooker	Parker	Smith J E	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 983) entitled "An act to amend the Greater New York charter, relative to pensions to members of the police force and their widows and orphans" (Rec. No. 231), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 146

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Parker	Smith R H
Allen F E	Cunningham	Hooper	Patton	Standart
Allen J G	Dale	Hornidge	Pendry	Stanley
Anderson	Dodd	Hubbs	Phillips	Steele
Apgar	Donovan	Hurd	Plank	Stevens
Bass	Dowling	Kavanaugh	Platt	Sullivan
Becker	Ellis	Knapp	Pratt	Tenjust
Bedell	Etzel	La Fetra	Prentice	Thompson G F
Beebe	Evans	La Rue	Prince	Thompson J A
Beihilf	Everett	Leggett	Quinn	Thonet
Bird	Fish	Lewis	Reeve	Tompkins
Bisland	Fitzsimons	Machacek	Reilly	Waddell
Brady	Foelker	Maier	Rigby	Wade
Brooks	Foster	Malloy	Rogers	Wagner
Burnett	Francisco	Mathews T F	Rosenstein	Wadsworth
Burns	Freidel	Mathews C R	Sammon	Wainwright
Burzynski	Fuller	McKeown	Santee	Wedemeyer
Byrne	Gardner	McManus	Schoeneck	West
Cadin	Gates	Mead	Seovill	Wemple
Cahn	Grady	Merritt	Shanahan	Whitney F G
Callahan	Grattan	Miller	Sheehy	Whitney G H
Carrier	Gray	Monroe	Sheldon	Wiegand
Caughlan	Gurnett	Moreland	Sherry	Wilsnack
Charles E E	Hackett	Murphy	Shuttleworth	Wilson
Charles W B	Hammond	Newton	Slocum	Wolf
Cooke	Hanford	Nugent	Smith A P	Wood F C
Coon	Hapeman	Ogden	Smith A E	Wood F X
Cotton	Hartman	O'Neill	Smith J E	Yale
Coutant	Hastings	Palmer	Smith J T	Young
Cowan				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 982) entitled "An act to authorize the grant by the city of New York to the Spuyten Duyvil and Port Morris Railroad Company and to the New York Central and Hudson River Railroad Company, or either of them, of lands and lands under water lying between the southerly boundary line of the land of the Spuyten Duyvil and Port Morris Railroad Company at East One Hundred and Forty-ninth street and the northerly boundary line of the city of New York, for railroad purposes" (Rec. No. 218), was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Patton	Smith A E
Allen F E	Cox	Hornidge	Pendry	Smith J T
Allen J G	Cunningham	Hubbs	Perry	Smith R H
Apgar	Dodd	Hurd	Phillips	Stanley
Bass	Donovan	Knapp	Plank	Steele
Becker	Dowling	La Fetra	Pratt	Stevens
Bedell	Ellis	La Rue	Prentice	Tenjust
Beihilf	Evans	Leggett	Prince	Thompson G F
Bird	Everett	Lewis	Quinn	Thonet
Bisland	Fish	Maier	Reeve	Tompkins
Brady	Foelker	Malloy	Reilly	Wade
Brooks	Foster	Mathews T F	Rigby	Wagner
Burnett	Freidel	Matthews C R	Rogers	Wadsworth
Burns	Fuller	McKeown	Rosenstein	Wainwright
Byrne	Gardner	McManus	Salomon	Wedemeyer
Cadin	Gates	Mead	Sammon	West
Cahn	Grattan	Miller	Santee	Whitney F G
Callahan	Gray	Monroe	Schoeneck	Whitney G H
Carrier	Gurnett	Moreland	Scovill	Wiegand
Charles E E	Hackett	Newton	Sheehy	Wilsnack
Charles W B	Hammond	Nugent	Sheldon	Wilson
Cooke	Hanford	Ogden	Sherry	Wood F C
Coon	Hapeman	O'Neill	Shuttleworth	Wood F X
Cotton	Hartman	Palmer	Slocum	Yale
Coutant	Hooker	Parker	Smith A P	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 866) entitled "An act to amend chapter 386 of the Laws of 1888, as amended by chapter 473 of the Laws of 1900, entitled 'An act to authorize the city of Yonkers to issue bonds for the purpose of raising money to construct bridges over water courses in said city'" (Rec. No. 253), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooper	Parker	Smith A E
Allen F E	Dale	Hornidge	Patton	Smith J T
Anderson	Dodd	Hurd	Pendry	Smith R H
Apgar	Dowling	Kavanaugh	Perry	Standart
Bass	Ellis	Knapp	Phillips	Steele
Becker	Etzel	La Fetra	Plank	Stevens
Bedell	Evans	La Rue	Platt	Sullivan
Beebe	Everett	Leggett	Pratt	Tenjost
Beihlf	Fitzsimons	Lewis	Prentice	Thompson J A
Bisland	Foelker	Maier	Prince	Thonet
Brady	Foster	Malloy	Quinn	Tompkins
Brooks	Francisco	Mathews T F	Reeve	Waddell
Burns	Freidel	Matthews C R	Reilly	Wagner
Burzynski	Gardner	McKeown	Rigby	Wainwright
Byrne	Gates	McManus	Rogers	Wedemeyer
Cadin	Grady	Mead	Rosenstein	West
Cahn	Grattan	Merritt	Salomon	Wemple
Carrier	Gray	Miller	Sammon	Whitney G H
Caughlan	Gurnett	Monroe	Schoenecker	Wiegand
Charles E E	Hackett	Moreland	Seovill	Wilsnack
Cooke	Hammond	Murphy	Sheehy	Wilson
Coon	Hanford	Newton	Sheldon	Wood F C
Cotton	Hapeman	Nugent	Sherry	Wood F X
Coutant	Hartman	Ogden	Shuttleworth	Yale
Cowan	Hastings	O'Neill	Slocum	Young
Cox	Hooker	Palmer	Smith A P	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 976) entitled "An act to establish a firemen's pension fund in the city of Troy, and providing for the payment of pensions therefrom" (Rec. No. 222), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were :

Agnew	Cunningham	Hooper	Palmer	Smith J E
Allen F E	Dale	Hornidge	Parker	Smith J T
Anderson	Dodd	Hubbs	Pendry	Smith R H
Apgar	Donovan	Hurd	Perry	Standart
Bass	Dowling	Kavanaugh	Phillips	Steele
Bedell	Ellis	Knapp	Platt	Stevens
Beebe	Evans	La Petra	Pratt	Tenjust
Beihlf	Everett	La Rue	Prentice	Thompson G F
Bird	Fish	Lewis	Prince	Thompson J A
Bisland	Fitzsimons	Machacek	Quinn	Thonet
Brady	Foelker	Maier	Reilly	Waddell
Burnett	Francisco	Malloy	Rigby	Wade
Burns	Fuller	Mathews T F	Rogers	Wagner
Burzynski	Gardner	Matthews C R	Rosenstein	Wadsworth
Byrne	Gates	McKeown	Salomon	Wainwright
Cahn	Grady	McManus	Sammon	West
Callahan	Gray	Mead	Santee	Wemple
Carrier	Gurnett	Miller	Schoeneck	Whitney F G
Caughlan	Hackett	Monroe	Seovill	Whitney G H
Charles E E	Hammond	Moreland	Sheehy	Wiegand
Charles W B	Hanford	Murphy	Sheldon	Wilson
Coon	Hapeman	Newton	Sherry	West
Cotton	Hartman	Nugent	Shuttleworth	Wood F X
Coutant	Hastings	Ogden	Smith A P	Yale
Cowan	Hooker	O'Neill	Smith A E	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 977) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' so as to relieve the annual tax levy from the burden of collecting delinquent taxes, reimburse the city for advances against assessments; and to regulate and legalize tax notices" (Rec. No. 224), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hastings	Parker	Smith J T
Allen F E	Cowan	Hooker	Patton	Smith R H
Allen J G	Cox	Hooper	Pendry	Stanley
Anderson	Cunningham	Hornidge	Perry	Steele
Bass	Dale	Hubbs	Plank	Stevens
Becker	Dodd	Hurd	Platt	Tenjost
Beebe	Donovan	Kavanaugh	Pratt	Thompson G F
Beihilf	Dowling	Knapp	Prentice	Thompson J A
Bird	Ellis	La Fetra	Prince	Thonet
Bisland	Etzel	Leggett	Quinn	Waddell
Brady	Everett	Lewis	Reeve	Wade
Brooks	Fish	Machacek	Rigby	Wagner
Burnett	Foelker	Maier	Rogers	Wadsworth
Burns	Foster	Malloy	Rosenstein	Wainwright
Burzynski	Francisco	Mathews T F	Salomon	West
Byrue	Freidel	Matthews C R	Santee	Wemple
Cadin	Gardner	McKeown	Schoeneck	Whitney F G
Cahn	Gates	McManus	Scovill	Whitney G H
Callahan	Grady	Mead	Shanahan	Wiegand
Carrier	Grattan	Monroe	Sheldon	Wilsnack
Caughlan	Gray	Murphy	Sherry	Wilson
Charles E E	Gurnett	Newton	Shuttleworth	Wood F C
Charles W B	Hackett	Nugent	Slocum	Wood F X
Cooke	Hanford	Ogden	Smith A E	Yale
Coon	Hapeman	O'Neill	Smith J E	Young
Cotton	Hartman	Palmer		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 585) entitled "An act to provide that the fire commissioner of the city of New York, in his discretion, may reappoint in the department Robert J. Sweeney, who resigned from the department November 4, 1902" (Rec. No. 270), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hartman	O'Neill	Smith A E
Allen F E	Cowan	Hastings	Palmer	Smith J E
Allen J G	Cox	Hooker	Parker	Smith J T
Anderson	Cunningham	Hooper	Patton	Smith R H
Apgar	Dale	Hornidge	Pendry	Standart
Bass	Dodd	Hubbs	Perry	Steele
Becker	Donovan	Hurd	Phillips	Sullivan
Bedell	Ellis	Kavanaugh	Plank	Tenjust
Beebe	Etzel	Knapp	Platt	Thompson G F
Beihliff	Evans	La Fetra	Pratt	Thompson J A
Bird	Everett	La Rue	Prentice	Thonet
Bisland	Fish	Lewis	Prince	Tompkins
Brooks	Fitzsimons	Machacek	Quinn	Waddell
Burnett	Foelker	Maier	Reeve	Wade
Burns	Foster	Malloy	Reilly	Wagner
Burzynski	Francisco	Mathews T F	Rigby	Wainwright
Byrne	Fuller	Matthews C R	Rogers	Wedemeyer
Cadin	Gardner	McKeown	Rosenstein	Wemple
Cahn	Gates	McManus	Salomon	Whitney F G
Callahan	Grady	Merritt	Sammon	Whitney G H
Carrier	Grattan	Miller	Santee	Wiegand
Caughlan	Gray	Monroe	Schoeneck	Wilsnack
Charles E E	Gurnett	Moreland	Scovill	Wilson
Charles W B	Hackett	Murphy	Sheehy	Wolf
Cooke	Hammond	Newton	Sherry	Wood F X
Coon	Hanford	Nugent	Shuttleworth	Yale
Cotton	Hapeman	Ogden	Slucum	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 334) entitled "An act to amend the greater New York charter, relative to powers of the board of estimate and apportionment" (Rec. No. 214), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooker	Pendry	Smith J T
Allen F E	Cowan	Hooper	Perry	Smith R H
Allen J G	Cox	Hornidge	Phillips	Standart
Anderson	Dale	Hubbs	Plank	Steele

Apgar	Dodd	Hurd	Platt	Stevens
Bass	Donovan	Knapp	Pratt	Sullivan
Bedell	Dowling	La Fetra	Prentice	Tenjest
Beebe	Etzel	Leggett	Prince	Thompson G F
Beihlf	Evans	Lewis	Quinn	Thompson J A
Bird	Everett	Machacek	Reeve	Thonet
Bisland	Fitzsimons	Maier	Reilly	Tompkins
Brady	Foelker	Malloy	Rigby	Waddell
Brooks	Francisco	Mathews T F	Rogers	Wade
Burnett	Freidel	Matthews C R	Rosenstein	Wagner
Burzynski	Fuller	McKeown	Salomon	Wainwright
Byrne	Gardner	McManus	Sammon	Wedemeyer
Cadin	Gates	Merritt	Schoeneck	Wemple
Cahn	Grady	Miller	Scovill	Whitney F G
Callahan	Gray	Moreland	Shanahan	Whitney G H
Carrier	Gurnett	Murphy	Sheehy	Wiegand
Caughlan	Hackett	Newton	Sheldon	Wilsnack
Charles E E	Hammond	Nugent	Sherry	Wolf
Charles W B	Hanford	Ogden	Shuttleworth	Wood F C
Cooke	Hapeman	Palmer	Slocum	Wood F X
Coon	Hartman	Parker	Smith A P	Yale
Cotton	Hastings	Patton	Smith J E	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 882) entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown'" (Rec. No. 202), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooker	Patton	Smith J T
Allen F E	Cox	Hooper	Pendry	Smith R H
Anderson	Cunningham	Hornidge	Perry	Standart
Apgar	Dale	Hubbs	Phillips	Stanley
Bass	Dodd	Hurd	Plank	Stevens
Becker	Donovan	Kavanaugh	Platt	Sullivan
Bedell	Dowling	Knapp	Pratt	Tenjest
Beebe	Ellis	La Fetra	Prentice	Thompson G F
Beihlf	Etzel	Leggett	Prince	Thompson J A
Bird	Evans	Lewis	Reeve	Tompkins

Bisland]]	Everett	Machacek	Reilly	Waddell
Brady]	Fitzsimons	Maier	Rigby	Wade
Brooks	Foelker	Malloy	Rogers	Wadsworth
Burnett	Francisco	Mathews T F	Rosenstein	Wainwright
Burns	Freidel	Matthews C R	Salomon	Wedemeyer
Burzynski	Fuller	McKeown	Sammon	West
Byrne	Gardner	McManus	Santee	Wemple
Cadin	Gates	Merritt	Schoeneck	Whitney F G
Callahan	Grady	Miller	Scovill	Whitney G H
Carrier	Grattan	Monroe	Sheehy	Wiegand
Caughlan	Gray	Murphy	Sheldon	Wilson
Charles E E	Gurnett	Newton	Sherry	Wolf
Charles W B	Hackett	Nugent	Shuttleworth	Wood F C
Cooke	Hammond	Ogden	Smith A P	Wood F X
Coon	Hapeman	O'Neill	Smith A E	Yale
Cotton	Hartman	Palmer	Smith J E	Young
Coutant	Hastings	Parker		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 857) entitled "An act to amend the Membership Corporations Law relating to corporations for the prevention of cruelty" (Rec. No. 199), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Agnew	Dale	Hornidge	Patton	Smith R H
Allen F E	Dodd	Hubbs	Pendry	Standart
Allen J G	Donovan	Hurd	Perry	Stanley
Apgar	Dowling	Kavanaugh	Phillips	Steele
Becker	Ellis	Knapp	Plank	Stevens
Bedell	Evans	La Petra	Platt	Sullivan
Beebe	Everett	La Rue	Pratt	Thompson G F
Beihlf	Fish	Leggett	Prentice	Thompson J A
Bird	Fitzsimons	Lewis	Prince	Thonet
Bisland	Foelker	Machacek	Quinn	Tompkins
Brooks	Francisco	Maier	Reeve	Waddell
Burnett	Freidel	Malloy	Reilly	Wade
Burns	Fuller	Mathews T F	Rogers	Wagner
Byrne	Gardner	Matthews C R	Rosenstein	Wadsworth
Cadin	Gates	McKeown	Salomon	Wainwright
Cahn	Grady	McManus	Sammon	Wedemeyer
Callahan	Grattan	Mead	Santee	West

Carrier	Gray	Miller	Schoeneck	Whitney F G
Caughlan	Gurnett	Monroe	Scovill	Whitney G H
Charles E E	Hackett	Moreland	Shanahan	Wiegand
Charles W B	Hammond	Murphy	Sheehy	Wilsnack
Coon	Hanford	Newton	Sheldon	Wilson
Cotton	Hapeman	Nugent	Sherry	Wolf
Coutant	Hartman	Ogden	Slocum	Wood F C
Cowan	Hastings	O'Neill	Smith A P	Wood F X
Cox	Hooker	Palmer	Smith A E	Yale
Cunningham	Hooper	Parker	Smith J E	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1094) entitled "An act to amend the Poor Law by requiring monthly reports from county superintendents of the poor, overseers of the poor and other officials, to the State Board of Charities with relation to children placed in family homes" (Rec. No. 328), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Agnew	Cunningham	Hooker	Patton	Smith J T
Allen F E	Dale	Hooper	Pendry	Smith R H
Allen J G	Dodd	Hornidge	Perry	Standart
Anderson	Donovan	Hubbs	Phillips	Stanley
Apgar	Dowling	Hurd	Plank	Steele
Bass	Ellis	Kavanaugh	Platt	Stevens
Becker	Etzel	Knapp	Pratt	Sullivan
Bedell	Evans	La Fetra	Prentice	Tenjost
Beebe	Everett	La Rue	Prince	Thompson J A
Bird	Fish	Leggett	Quinn	Thonet
Bisland	Fitzsimons	Lewis	Reeve	Tompkins
Brady	Foelker	Machacek	Reilly	Waddell
Brooks	Foster	Maier	Rigby	Wagner
Burnett	Francisco	Mathews T F	Rosenstein	Wadsworth
Burns	Fuller	Matthews C R	Salomon	Wedemeyer
Burzynski	Gardner	McKeown	Sammon	West
Byrne	Gates	McManus	Santee	Wemple
Cadin	Grady	Mead	Schoeneck	Whitney G H
Cahn	Grattan	Miller	Scovill	Wiegand

Callahan	Gray	Monroe	Shanahan	Wilsnack
Carrier	Gurnett	Moreland	Sheehy	Wilson
Charles E E	Hackett	Murphy	Sheldon	Wolf
Charles W B	Hammond	Nugent	Sherry	Wood F C
Cooke	Hanford	Ogden	Shuttleworth	Wood F X
Cotton	Hapeman	O'Neill	Slocum	Yale
Cowan	Hartman	Palmer	Smith A P	Young
Cox	Hastings	Parker	Smith A E	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1977) entitled 'An act to amend chapter 722 of the Laws of 1894, entitled 'An act to incorporate the Niagara, Lockport and Ontario Power Company,' relative to limiting the amount of water to be taken from the Niagara river, requiring the company to furnish electric power to consumers at fixed rates, extending the territory in which power may be sold, defining its powers of condemnation, striking out the right to sell water for municipal purposes, removing limitation of capital stock, authorizing changes in the number of directors, conforming the act in certain particulars to the general laws of the State and otherwise" (Int. No. 974), was read the second time.

On motion of Mr. Leggett, said bill was placed on the order of third reading.

On motion of Mr. Wade, said bill was recommitted to the committee on electricity, gas and water supply, retaining its place on the order of third reading.

The bill (No. 1888) entitled "An act to amend chapter 435 of the Laws of 1875, entitled 'An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital' to enlarge the power of the hospital to take, hold and mortgage property" (Int. No. 1376), was read the second time.

On motion of Mr. Mead, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 802) entitled "An act requiring the removal of obstructions from State street in the borough of Brooklyn and from the East river adjacent thereto" (Int. No. 716), having been announced for a second reading,

On motion of Mr. Rogers, said bill was recommitted to the committee on commerce and navigation, retaining its place on the order of second reading.

The bill (No. 1531) entitled "An act providing for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 1, town of Dannemora, in the county of Clinton" (Int. No. 1197), was read the second time.

On motion of Mr. Knapp, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2037) entitled "An act to amend the Forest, Fish and Game Law, in relation to fires to clear land" (Int. No. 1307), was read the second time.

On motion of Mr. Plank, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 108) entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter 29 of the general laws and the several acts amendatory thereof and supplementary thereto, in relation to penalties'" (Int. No. 108), was read the second time.

On motion of Mr. Brooks, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1290) entitled "An act to amend chapter 560 of the Laws of 1902, relative to the department of public instruction in cities of the second class" (Int. No. 1085), was read the second time.

On motion of Mr. Gates, said bill was placed on the order of third reading.

On motion of Mr. Gates, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Kavanaugh	Phillips	Steele
Allen F E	Cunningham	Knapp	Platt	Stevens
Anderson	Dale	La Fetra	Pratt	Sullivan
Apgar	Donovan	Leggett	Prince	Thompson G F
Bass	Dowling	Lewis	Quinn	Thompson J A
Bedell	Ellis	Machacek	Reeve	Tompkins
Beebe	Evans	Maier	Reilly	Waddell
Bird	Everett	Malloy	Rigby	Wade
Bisland	Fish	Mathews T F	Rogers	Wagner
Brady	Foelker	Matthews C R	Salomon	Wadsworth
Burnett	Francisco	McKeown	Sammon	Wainwright
Burns	Freidel	McManus	Santee	Wedemeyer
Burzynski	Fuller	Merritt	Scovill	West
Byrne	Gates	Monroe	Shanahan	Wemple
Cadin	Grattan	Moreland	Sheehy	Whitney F G
Cahn	Gray	Newton	Sheldon	Whitney G H
Callahan	Hackett	Nugent	Shuttleworth	Wiegand
Carrier	Hammond	Ogden	Slocum	Wilsnack
Caughlan	Hapeman	O'Neill	Smith A P	Wilson
Charles E E	Hartman	Palmer	Smith A E	Wolf
Charles W B	Hooker	Parker	Smith J T	Wood F C
Coon	Hooper	Patton	Smith R H	Wood F X
Cotton	Hornidge	Pendry	Standart	Yale
Coutant	Hubbs	Perry	Stanley	Young

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1364) entitled "An act to authorize the Comptroller to hear and determine the application of John Ruffrange for the redemption of a portion of lot No. 55 in the town of Clinton, Clinton county, from the sale thereof by the Comptroller for unpaid taxes in the year 1881" (Int. No. 1105), was read the second time.

On motion of Mr. Knapp, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 459) entitled "An act to amend the Tax Law, relative to property exempt from taxation" (Int. No. 430), having been announced for a second reading,

On motion of Mr. McKeown, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 179) entitled "An act to amend the Tax Law, in relation to the transfer tax clerk of Suffolk county" (Int. No. 178), was read the second time.

On motion of Mr. Reeve, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1933) entitled "An act to legalize the acts of William McCormick, a justice of the peace of the town of Potsdam, county of St. Lawrence" (Int. No. 1404), was read the second time.

On motion of Mr. Merritt, said bill was placed on the order of third reading.

On motion of Mr. Merritt, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 127

NOES 00

Those who voted in the affirmative were:

Agnew	Cotton	Hapeman	Palmer	Standart
Allen F E	Coutant	Hartman	Patton	Steele
Allen J G	Cowan	Hastings	Pendry	Stevens
Anderson	Cox	Hooker	Perry	Sullivan
Apgar	Cunningham	Hooper	Plank	Tenjost
Bass	Dale	Hubbs	Platt	Thompson G F
Becker	Dodd	Hurd	Pratt	Thompson J A
Bedell	Dowling	Knapp	Prentice	Thonet
Beebe	Ellis	La Fetra	Quinn	Waddell
Beihlf	Etzel	La Rue	Reeve	Wade
Bird	Evans	Leggett	Reilly	Wagner
Bisland	Everett	Lewis	Rigby	Wadsworth
Brady	Fitzsimons	Machacek	Rogers	Wainwright
Brooks	Foelker	Maier	Salomon	Wedemeyer
Burnett	Foster	Mathews T F	Sammon	West
Burns	Francisco	Matthews C R	Santee	Wemple
Burzynski	Freidel	McKeown	Schoeneck	Whitney G H
Byrne	Fuller	McManus	Shanahan	Wiegand
Cadin	Gardner	Mead	Sheehy	Wilsnack
Cahn	Gates	Miller	Sheldon	Wilson
Callahan	Grady	Monroe	Shuttleworth	Wolf
Carrier	Grattan	Murphy	Slocum	Wood F C
Caughlan	Gray	Newton	Smith A E	Wood F X
Charles E E	Gurnett	Ogden	Smith J T	Yale
Charles W B	Hammond	O'Neill	Smith R H	Young
Coon	Hanford			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1937) entitled "An act to amend chapter 79 of the Laws of 1904, entitled 'An act authorizing the town board of the town of Caledonia, Livingston county, to pay the board of trustees of the village of Caledonia, in such county, a certain sum annually toward the salary of a village policeman'" (Int. No. 1408), was read the second time.

On motion of Mr. Wadsworth, said bill was placed on the order of third reading.

On motion of Mr. Wadsworth, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hornidge	Phillips	Smith R H
Allen F E	Cunningham	Hubbs	Plank	Stanley
Allen J G	Dale	Hurd	Platt	Steele
Anderson	Dodd	Knapp	Pratt	Stevens
Apgar	Donovan	La Petra	Prentice	Sullivan
Bass	Ellis	La Rue	Prince	Thompson G F
Becker	Etzel	Lewis	Quinn	Thompson J A
Bedell	Evans	Machacek	Reeve	Thonet
Beebe	Everett	Maier	Reilly	Tompkins
Beihilf	Fish	Mathews T F	Rigby	Waddell
Bird	Fitzsimons	Mathews C R	Rogers	Wade
Bisland	Foelker	McKeown	Rosenstein	Wadsworth
Brady	Foster	McManus	Salomon	Wainwright
Brooks	Francisco	Mead	Sammon	Wedemeyer
Burnett	Fuller	Merritt	Santee	West
Burns	Gardner	Miller	Scovill	Wemple
Burzynski	Gates	Monroe	Shanahan	Whitney F G
Byrne	Grady	Moreland	Sheehy	Whitney G H
Cadin	Grattan	Murphy	Sheldon	Wiegand
Callahan	Gray	Nugent	Sherry	Wilsnack
Carrier	Gurnett	Ogden	Shuttleworth	Wilson
Caughlan	Hackett	O'Neill	Slocum	Wolf
Charles E E	Hanford	Palmer	Smith A P	Wood F C
Charles W B	Hapeman	Parker	Smith A E	Wood F X
Cooke	Hartman	Pendry	Smith J E	Yale
Cotton	Hastings	Perry	Smith J T	Young
Coutant	Hooper			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1934) entitled "An act providing for the payment of certain notes and indebtedness of the town of Frankfort, county of Herkimer, and authorizing the issue of town bonds for such purposes" (Int. No. 1405), having been announced for a second reading,

Mr. Steele moved to amend as follows:

Page 1, line 4, after the word "supervisor" insert the words "and commissioner of highways."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. Steele, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 1450) entitled "An act to amend the Highway Law, relative to extraordinary repairs of highways and bridges" (Int. No. 1164), having been announced for a second reading,

Mr. Yale moved to amend as follows:

Page 2, lines 13, 14 and 15, strike out all after the word "meeting."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was read the second time.

On motion of Mr. Yale, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 1905) entitled "An act to repeal section 51 of the Public Lands Law, relating to preferences to original owners on sales of abandoned canal lands" (Int. No. 1386), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 308) entitled "An act to amend chapter 397 of the Laws of 1890, entitled 'An act to incorporate the River Bridge Company,' relative to extension of charter" (Rec. No. 85), was read the second time.

On motion of Mr. Cox, said bill was placed on the order of third reading.

The Senate bill (No. 890) entitled "An act to amend section 8 of chapter 146 of the Laws of 1856, entitled 'An act authorizing the construction of a bridge across the Hudson river at Albany'" (Rec. No. 179), was read the second time.

On motion of Mr. Stevens, said bill was placed on the order of third reading.

The Senate bill (No. 762) entitled "An act requiring the stanchions, deck beams and frames to be of iron or steel, in all steam vessels and barges hereafter constructed, engaging in excursions from cities having a population of 1,000,000 inhabitants or over" (Rec. No. 167), was read the second time.

On motion of Mr. Stanley, said bill was placed on the order of third reading.

The Senate bill (No. 819) entitled "An act to amend the Forest, Fish and Game Law, in relation to the duties of the superintendent of forest fire wardens and game protectors" (Rec. No. 243), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading.

The Senate bill (No. 423) entitled "An act to amend the Tax Law in relation to proceedings or suits brought to collect personal taxes in arrears" (Rec. No. 275), was read the second time.

On motion of Mr. Stanley, said bill was placed on the order of third reading.

The Senate bill (No. 856) entitled "An act to amend 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws'" (Rec. No. 182), was read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading.

On motion of Mr. Palmer, said bill was recommitted to the committee on excise, retaining its place on the order of third reading.

The Senate bill (No. 953) entitled "An act to authorize the New York State Convention of Universalists to sell and convey property owned by it on Hoffman street in the borough of the Bronx, in the city of New York" (Rec. No. 274), was read the second time.

On motion of Mr. Prentice, said bill was placed on the order of third reading.

The Senate returned the bill (No. 1014, Senate reprint No. 1181) entitled "An act to amend the Greater New York charter, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy" (Int. No. 454), with a message that they have concurred in the passage of the same with the following amendments:

Page 5, line 16, strike out all after the word "The."

Same page, line 17, strike out all before the word "board."

Same page, line 20, strike out the words "courts or."

Same page, line 21, strike out the words "court or."

Same page, line 22, after the word "them" insert a period.

Page 6, line 3, strike out all after the word "assigned."

Same page, strike out all of lines 4, 5, 6, 7 and 8.

Same page, line 20, strike out the words "court of special sessions or."

Mr. Prentice moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Agnew	Coutant	Hooper	Patton	Smith J T
Allen F E	Cowan	Hornidge	Pendry	Smith R H
Allen J G	Cox	Hubbs	Perry	Standart
Anderson	Cunningham	Hurd	Phillips	Stanley
Apgar	Dale	Knapp	Plank	Steele
Bass	Dodd	La Fetra	Platt	Sullivan
Becker	Dowling	La Rue	Prentice	Tenjust
Bedell	Ellis	Leggett	Prince	Thompson G F
Beebe	Etzel	Lewis	Quinn	Thonet
Beihilf	Evans	Machacek	Reeve	Tompkins
Bird	Everett	Maier	Reilly	Waddell
Bisland	Fitzsimons	Malloy	Rigby	Wade
Brady	Foelker	Mathews T F	Rogers	Wagner
Burnett	Foster	Matthews C R	Salomon	Wainwright
Burns	Freidel	McKeown	Sammon	Wedemeyer
Burzynski	Fuller	McManus	Santee	West
Burns	Gardner	Mead	Schoeneck	Wemple
Cadin	Gates	Merritt	Scovill	Whitney F G
Cahn	Grattan	Miller	Sheehy	Whitney G H
Callahan	Gray	Monroe	Sheldon	Wilsnack
Carrier	Gurnett	Murphy	Sherry	Wilson
Caughlan	Hackett	Newton	Shuttleworth	Wolf
Charles E E	Hammond	Nugent	Slocum	Wood F C
Cooke	Hapeman	Ogden	Smith A P	Wood F X
Coon	Hartman	Palmer	Smith A E	Yale
Cotton	Hastings	Parker	Smith J E	Young

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 970, Senate reprint No. 1085) entitled "An act to amend the Greater New York charter, relating to the salary of the deputy chief of fire department in charge of the boroughs of Brooklyn and Queens" (Int. No. 828), with a message that they have concurred in the passage of the same with the following amendment:

Page 2, line 3, after the word "be" insert the words "not more than."

Mr. McKeown moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined

in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 146

NOES 00

Those who voted in the affirmative were:

Agnew	Cox	Hooker	Patton	Smith J T
Allen F E	Cunningham	Hooper	Pendry	Smith R H
Allen J G	Dale	Hornidge	Perry	Standart
Anderson	Dodd	Hubbs	Phillips	Stanley
Apgar	Donovan	Hurd	Plank	Steele
Bass	Dowling	Kavanaugh	Platt	Stevens
Becker	Ellis	Knapp	Pratt	Sullivan
Bedell	Etzel	La Fetra	Prentice	Tenjest
Beebe	Evans	Leggett	Prince	Thompson G F
Beihlf	Everett	Lewis	Quinn	Thompson J A
Bird	Fish	Machacek	Reeve	Thonet
Bisland	Fitzsimons	Maier	Reilly	Tompkins
Brady	Foelker	Malloy	Rigby	Waddell
Brooks	Foster	Mathews T F	Rogers	Wade
Burnett	Francisco	Matthews C R	Rosenstein	Wadsworth
Burns	Freidel	McKeown	Salomon	Wainwright
Burzynski	Fuller	McManus	Sammon	Wedemeyer
Byrne	Gardner	Mead	Santee	West
Cadin	Gates	Merritt	Schoeneck	Wemple
Cahn	Grady	Miller	Scovill	Whitney F G
Callahan	Grattan	Monroe	Shanahan	Whitney G H
Carrier	Gray	Moreland	Sheehy	Wiegand
Caughlan	Gurnett	Murphy	Sheldon	Wilsnack
Charles E E	Hackett	Newton	Shermy	Wilson
Charles W B	Hammond	Nugent	Shuttleworth	Wolf
Cooke	Hanford	Ogden	Slocum	Wood F C
Coon	Hapeman	O'Neill	Smith A P	Wood F X
Cotton	Hartman	Palmer	Smith A E	Yale
Coutant	Hastings	Parker	Smith J E	Young
Cowan				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

Pursuant to resolution, the Senate returned the Assembly bill (No. 528, Senate reprint No. 1092) entitled "An act to transfer to the city of New York the normal and training school in the borough of Queens, city of New York, formerly in the village of Jamaica and county of Queens." (Int. No. 487.)

Mr. Wilsnack moved to reconsider the vote by which the House nonconcurred in the Senate amendments thereto, and requested a committee of conference thereon.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the nonconcurrency of the Senate amendments thereto, and it was determined in the affirmative.

Mr. Wilsnack moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hooper	Patton	Smith J T
Allen F E	Cunningham	Hornidge	Pendry	Smith R H
Allen J G	Dale	Hubbs	Perry	Standart
Anderson	Dodd	Hurd	Phillips	Stanley
Apgar	Donovan	Kavanaugh	Plank	Steele
Becker	Ellis	Knapp	Platt	Sullivan
Bedell	Etsel	La Rue	Pratt	Tenjest
Beebe	Evans	Leggett	Prentice	Thompson G F
Bird	Everett	Lewis	Quinn	Thompson J A
Bisland	Fitzsimons	Maier	Reeve	Thonet
Brady	Foelker	Malloy	Reilly	Tompkins
Brooks	Foster	Mathews T F	Rigby	Waddell
Burnett	Francisco	Matthews C R	Rogers	Wade
Burns	Freidel	McKeown	Rosenstein	Wagner
Burzynski	Gardner	McManus	Salomon	Wainwright
Byrne	Gates	Mead	Sammon	Wedemeyer
Cadin	Grattan	Merritt	Schoeneck	Wemple
Callahan	Gray	Miller	Scovill	Whitney F G
Carrier	Gurnett	Monroe	Shanahan	Whitney G H
Caughlan	Hammond	Murphy	Sheehy	Wilsnack
Charles E E	Hanford	Newton	Sheldon	Wilson
Charles W B	Hapeman	Nugent	Shuttleworth	Wood F C
Cooke	Hartman	O'Neill	Slocum	Wod F X
Coon	Hastings	Palmer	Smith A P	Yale
Cotton	Hooker	Parker	Smith J E	Young
Coutant				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. G. H. Whitney offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of

Assembly bill No. 1701) entitled "An act to amend chapter 206 of the Laws of 1902, entitled 'An act in relation to the removal of the remains of deceased soldiers from potter's field and neglected or abandoned cemeteries to incorporated cemeteries which are properly cared for and to provide for a soldiers' plot in such cemeteries and to defray the expenses of obtaining plots and for the removals and reinterment of the remains of deceased soldiers and to provide for the annual care of soldiers' plots in cemeteries,' providing for the payment of certain expenses by the county" (Int. No. 334), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Stevens offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1216, entitled "An act to amend the Forest, Fish and Game Law, relative to close season on trout" (Int. No. 1006), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Fuller offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1718, entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues approaching the bridge over Prospect avenue at Seeley street, borough of Brooklyn, in the city of New York" (Int. No. 940), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Wilsnack offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Senate requesting the return to the Assembly of Assembly bill No. 528, entitled "An act to transfer to the city of New York the normal and training school in the borough of Queens, city of New York, formerly in the village of Jamaica and county of Queens" (Int. No. 487), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate.

A communication was received from Hon. H. L. Smith, mayor of the city of Cortland, returning Assembly bill No. 590, entitled "An act to amend chapter 160 of the Laws of 1900, entitled 'An act to incorporate the city of Cortland,' relative to revising certain sections of the charter" (Int. No. 536), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1701, entitled "An act to amend chapter 206 of the Laws of 1902, entitled 'An act in relation to the removal of the remains of deceased soldiers from potter's field and neglected or abandoned cemeteries to incorporated cemeteries which are properly cared for and to provide for a soldiers' plot in such cemeteries and to defray the expenses of obtaining plots and for the removals and reinterment of the remains of deceased soldiers and to provide for the annual care of soldiers' plots in cemeteries,' providing for the payment of certain expenses by the county" (Int. No. 334), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1718, entitled "An act to empower the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets and avenues approaching the bridge over Prospect avenue at Seeley street, borough of Brooklyn, in the city of New York" (Int. No. 940), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1216, entitled "An act to amend the Forest, Fish and Game Law, relative to close season on trout" (Int. No. 1006), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

"An act to amend chapter 84 of the Laws of 1886, entitled 'An act to incorporate the city of Jamestown,' in relation to the police justice." (No. 1035, Int. No. 882.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Jamestown.

"An act authorizing the board of estimate and apportionment of the city of New York to allow, and authorizing and directing the comptroller of the said city to pay certain claims incurred for the maintenance of the municipal court of the city of New York, twelfth district, Manhattan borough, during the year 1903." (No. 75, Int. No. 75.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to repeal chapter 389 of the Laws of 1903 and chapter 629 of the Laws of 1904, relating to the municipal improvements commission of the city of Troy." (No. 786, Int. No. 699.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Troy.

"An act to amend the Greater New York charter, relative to the certification of public records by the Comptroller." (No. 1856, Int. No. 1116.)

"An act to enable the police commissioner of the city of New York to re-hear and determine the charges against Richard Dillon, a policeman of the second grade, for reinstatement in said department." (No. 162, Int. No. 162.)

"An act to authorize the board of estimate and apportionment in the city of New York, to audit, adjust, and pay Rudolph Confield for services rendered as probation officer." (No. 636, Int. No. 94.)

"An act to authorize the payment of the claim of James A. Russell for services rendered the city of New York." (No. 676, Int. No. 610.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

"An act to authorize the city of Olean to acquire the Oak Lawn cemetery, and other lands, for the establishment of a public park, to provide for the removal of remains in such cemetery, and the reinterment thereof, and to authorize the issue of bonds for the purposes of the act." (No. 1139, Int. No. 954.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Olean.

"An act to amend the State Charities Law in relation to the board of managers of the Society for the Reformation of Juvenile Delinquents in the city of New York." (No. 1227, Int. No. 1017.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to provide for the erection of a new high school in the city of Syracuse." (No. 1876, Int. No. 1190.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

"An act to amend chapter 269 of the Laws of 1902, entitled 'An act to incorporate the city of Plattsburgh,' in relation to salary of commissioner of charities." (No. 830, Int. No. 731.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Plattsburg.

“An act in relation to Greene avenue and Madison street in the borough of Brooklyn, city of New York.” (No. 21, Int. No. 21.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to provide for public improvements in the city of Troy upon and in relation to Prospect park and the water works of said city.” (No. 628, Int. No. 572.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Troy.

“An act to amend chapter 359 of the Laws of 1897, entitled ‘An act to incorporate the city of Rensselaer,’ relative to additional bonds for street pavements and the erection of a fire house, and the issue of bonds therefor.” (No. 1663, Int. No. 1283.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rensselaer.

“An act to provide for the payment of the claim of Frank J. Gallagher for extra labor performed and material furnished in building bridge in Highland park, borough of Queens, city of New York.” (No. 921, Int. No. 449.)

“An act to authorize the comptroller of the city of New York, in his discretion, to examine into the facts concerning the services rendered by William McQuillan and Charles Haggerty as clerk and stenographer respectively in connection with the city magistrate’s court, fourth district, second division, borough of Brooklyn, city of New York.” (No. 1111, Int. No. 929.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

“An act to empower the city of Geneva to borrow money for the payment of certain street improvements and expenses incurred in the extension of the sewer system of said city, and issue bonds therefor.” (No. 257, Int. No. 257.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Geneva.

"An act relating to the appointment of employees of the fire department of the city of New York to the uniformed force of the said department." (No. 1131, Int. No. 945.)

"An act to limit the time during which action may be taken for the removal of, or for damages by reason of, certain encroachments upon the streets, avenues and public places of the city of New York." (No. 1068, Int. No. 886.)

"An act to amend the Greater New York charter, in relation to the use of patented articles." (No. 1069, Int. No. 887.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

"An act authorizing and directing the Comptroller to readjust and resettle the accounts of certain trust companies for taxes paid under section 187-a of the Tax Law for the years ending June 30, 1901 and 1902." (No. 742, Int. No. 661.)

"An act authorizing the town of Middletown, Delaware county, to issue bonds to retire outstanding certificates of indebtedness against said town." (No. 1882, Int. No. 1257.)

"An act to amend chapter 667 of the Laws of 1868, entitled 'An act to enable Conrad Poppenhusen to found an institution in the village of College Point.' " (No. 1721, Int. No. 318.)

"An act to amend chapter 106 of the Laws of 1891, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville, and to repeal certain acts,' relative to ordinances pertaining to the fire alarm telegraph system." (No. 741, Int. No. 660.)

"An act to amend chapter 106 of the Laws of 1891, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville and to repeal certain acts,' relating to the appointment of inspectors of election." (No. 1134, Int. No. 949.)

"An act to provide a purchasing agent for the county of Schenectady, in regulating the management of said office." (No. 1414, Int. No. 964.)

"An act to amend the Penal Code and the Code of Criminal

Procedure, relative to false alarms of fire and unlawful interference with fire alarm telegraph systems, and the jurisdiction of courts of special sessions." (No. 732, Int. No. 652.)

"An act to amend the Consolidated School Law, relative to the employment of children, attendance officers, truant schools and the withholding of money by the Commissioner of Education." (No. 1632, Int. No. 742.)

"An act to authorize the town of Pelham, in the county of Westchester, to acquire a site and construct a town hall in said town, and to issue bonds in payment therefor." (No. 1574, Int. No. 1014.)

"An act to amend the Military Code, in relation to military parades on Dewey day." (No. 726, Int. No. 646.)

"An act to amend section 254 of the Tax Law, in relation to costs and disbursements in certiorari proceedings." (No. 1697, Int. No. 719.)

"An act to amend section 2730 of the Code of Civil Procedure, relative to commissions of executors or administrators." (No. 930, Int. No. 801.)

"An act to amend the Penal Code, relative to ice bridges and ice cuttings." (No. 1106, Int. No. 924.)

"An act to amend section 85 of chapter 568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws.'" (No. 1353, Int. No. 605.)

"An act to amend the Real Property Law in relation to the authentication of conveyances executed outside of the State of New York and within the United States." (No. 683, Int. No. 617.)

"An act to amend the Penal Code, relative to disorderly houses." (No. 1399, Int. No. 515.)

"An act to amend the Code of Civil Procedure, in relation to the petition for voluntary dissolution of a corporation." (No. 1466, Int. No. 516.)

"An act to amend the Code of Civil Procedure relating to the

disposition of the real estate of decedents for the payment of debts and funeral expenses." (No. 579, Int. No. 533.)

"An act to amend the Public Health Law, in relation to the prosecution of violations of the law in regard to the practice of medicine." (No. 493, Int. No. 463.)

"An act authorizing the village of Ellenville, Ulster county, to issue additional bonds for the purpose of completing a dyke or other structure along the bank of the Beerkill creek or stream in or near such village, and relating to the debt limitation in said village." (No. 1138, Int. No. 953.)

"An act to amend the Code of Criminal Procedure, relative to support of bastards." (No. 1348, Int. No. 1097.)

"An act to amend chapter 855 of the Laws of 1869, entitled 'An act to extend the powers of boards of supervisors except in the counties of New York and Kings,' relative to the erection of public monuments." (No. 1412, Int. No. 851.)

"An act authorizing the Superintendent of Public Works to investigate and report as to the acquisition of toll bridges across the Delaware river between this State and the State of Pennsylvania." (No. 1687, Int. No. 853.)

"An act to amend the Tax Law, in relation to the expense of publishing notices to redeem from county tax sales." (No. 554, Int. No. 505.)

"An act to amend the County Law, relative to deputy county treasurers in certain counties." (No. 1507, Int. No. 955.)

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Rogers, the House adjourned.

FRIDAY, APRIL 14, 1905.

The House met pursuant to adjournment.

Mr. Rogers in the chair.

Prayer by Rev. A. L. Love.

On motion of Mr. Phillips, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the thirty-third annual report of the Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf-Mutes, which was laid upon the table and ordered printed.

(See Document.)

The Senate sent for concurrence the following entitled bills:

"An act to amend section 25 of the Agricultural Law, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' relative to condensed milk" (No. 1079, Rec. No. 345), which was read the first time and referred to the committee on agriculture.

"An act to amend section 921 of the Code of Civil Procedure, relative to proof of lost documentary evidence" (No. 802, Rec. No. 346), which was read the first time and referred to the committee on codes.

"An act for the relief of the Young Men's Christian Association of Mount Vernon, N. Y., a religious, charitable and benevolent corporation" (No. 876, Rec. No. 347), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Code of Civil Procedure, in relation to the sale, mortgaging or leasing of the contingent interests of infants not in being in real property" (No. 1191, Rec. No. 348), which was read the first time and referred to the committee on codes.

"An act to amend chapter 507 of the Laws of 1903, entitled 'An act to abolish certain grade crossings of highways and railroads in the borough of Brooklyn in the city of New York and county of Kings, and providing for necessary changes in the grades of

highways, streets and avenues, and of portions of the railroad and right of way of the New York, Brooklyn and Manhattan Beach Railway Company, leased to the Long Island Railroad Company, and of the Brooklyn Union Elevated Railroad Company, leased to the Brooklyn Heights Railroad Company, so as to abolish present and avoid future crossings at grade, and providing means for the payment for such alterations or changes as amended by chapter 603 of the Laws of 1904 " (No. 470, Rec. No. 349), which was read the first time and referred to the committee on railroads.

"An act to amend chapter 523 of the Laws of 1890, entitled 'An act in relation to the office of sheriff of the city and county of New York,' relative to salaries " (No. 203, Rec. No. 350), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,' as amended by chapter 616 of the Laws of 1900, and further amended by chapter 544 of the Laws of 1902 " (No. 1214, Rec. No. 351), which was read the first time and referred to the committee on affairs of cities.

"An act vacating the local assessment for acquiring title to the public place or square lying southerly of East One Hundred and Thirty-eighth street, bounded by East One Hundred and Thirty-eighth street, Mott avenue and Railroad avenue east, in the borough of the Bronx, city of New York, confirmed January 30, 1902, and August 3, 1904, and entered for collection March 27, 1905, and authorizing the comptroller of the city of New York to refund the said assessment if paid; the said public place or square never having been used as such and having been appropriated by the city of New York for a fire engine site " (No. 1095, Rec. No. 352), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Labor Law relative to the issuance of employment certificates for employees in factories and mercantile

establishments " (No. 1216, Rec. No. 353), which was read the first time and referred to the committee on labor and industries.

"An act to facilitate State commerce by increasing the depth of water in the Erie basin at Buffalo, and making an appropriation therefor " (No. 307, Rec. No. 354), which was read the first time and referred to the committee on ways and means.

"An act to amend the Compulsory Education Law regarding the powers and duties of attendance officers " (No. 1217, Rec. No. 355), which was read the first time and referred to the committee on public education.

"An act amending section 1251 of the Code of Civil Procedure, relative to the lien of judgments " (No. 827, Rec. No. 356), which was read the first time and referred to the committee on codes.

"An act to amend the Stock Corporations Law in relation to the power to borrow money and mortgage property " (No. 1169, Rec. No. 357), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Liquor Tax Law in relation to special deputy commissioners and compensation of county treasurers " (No. 1221, Rec. No. 358), which was read the first time and referred to the committee on excise.

"An act to amend the Liquor Tax Law in relation to the definition of trafficking in liquors " (No. 1220, Rec. No. 359), which was read the first time and referred to the committee on excise.

"An act to amend the Penal Code by inserting therein an additional section, to be known as section 319-a, relative to the use of profane and indecent language through the telephone " (No. 858, Rec. No. 360), which was read the first time and referred to the committee on codes.

Mr. Beihlf introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the list of jurors to be prepared by the commissioner, etc.; commissioner to decide as to exemptions " (Int. No. 1497), which was read the first time and referred to the committee on codes.

Mr. Merritt introduced a bill entitled "An act to repeal section 170 of the Railroad Law, in relation to the expenses of the Rail-

road Commission " (Int. No. 1498), which was read the first time and referred to the committee on railroads.

Mr. Perry introduced a bill entitled "An act establishing in and for the county of Kings an additional court of civil jurisdiction " (Int. No. 1499), which was read the first time and referred to the committee on the judiciary.

Mr. Rigby introduced a bill entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to the application of said act to the city of Yonkers " (Int. No. 1500), which was read the first time and referred to the committee on affairs of cities.

Mr. McManus introduced a bill entitled "An act to amend the Greater New York charter, in relation to the purchase of supplies for the various departments of the city of New York " (Int. No. 1501), which was read the first time and referred to the committee on affairs of cities.

Mr. F. G. Whitney introduced a bill entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' relative to the office of recorder " (Int. No. 1502), which was read the first time and referred to the committee on affairs of cities.

Mr. Ellis introduced a bill entitled "An act for the regulation of fares on electric street surface railroads in cities of the State containing a population of 1,000,000 or over, and to provide for the issue of transfer tickets thereon " (Int. No. 1503), which was read the first time.

On motion of Mr. Ellis, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on railroads.

Mr. Pratt introduced a bill entitled "An act to legalize and confirm the action of a majority of the electors of the town of New Hartford, Oneida county, at the last biennial town meeting in said town, on November 3, 1903, in relation to paying 15 per cent. of the cost of improving the Bridgewater turnpike as a town charge " (Int. No. 1504), which was read the first time.

On motion of Mr. Pratt, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on internal affairs.

By unanimous consent,

Mr. McManus introduced a bill entitled "An act to amend the Greater New York charter, in relation to appointment and salary of chief engineer in department of docks" (Int. No. 1505), which was read the first time and referred to the committee on affairs of cities.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fuller, Int. No. 1382, entitled "An act to amend the Greater New York charter in relation to the powers of the board of estimate and apportionment" (No. 1894), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gates, Int. No. 1375, entitled "An act to extend Hickory street in the city of Utica through the lands of the State Hospital at Utica, N. Y." (No. 1887), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Tompkins, Int. No. 1323, entitled "An act to amend the Greater New York charter, relative to the appointment of police matrons" (No. 1774), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kavanaugh, Int. No. 1299, entitled "An act to authorize the comptroller of the city of New York to refund taxes erroneously paid by Elizabeth McGowan" (No. 1706), reported in favor of the passage of the same without

amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gates, Int. No. 1240, entitled "An act to divide the city of Utica into twenty-two wards, establishing the boundaries of said wards and providing for the election, term of office and compensation of the ward officers for said wards, and repealing section 3 of chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica'" (No. 1595), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. F. C. Wood, Int. No. 1137, entitled "An act to revise the charter of the city of Johnstown" (No. 1487), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. F. C. Wood, Int. No. 1397, entitled "An act to amend section 88 of chapter 275 of the Laws of 1899, entitled 'An act to revise the charter of the city of Gloversville'" (No. 1930), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. F. C. Wood, Int. No. 1458, entitled "An act to amend an act entitled 'An act to incorporate the city of Johnstown,' being chapter 568 of the Laws of 1895" (No. 2057), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Lewis, Int. No. 1449, entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' by

authorizing the city of Oswego to raise funds to meet deficit in its department of works" (No. 2049), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the bill introduced by Mr. La Rue, Int. No. 1401, entitled "An act to authorize the city of Watertown to borrow money for current municipal expenses arising in relation to the Roswell P. Flower Memorial Library, the maintenance and repair of school buildings and highways, the construction, maintenance and repair of sewers, and to pay temporary deficiencies in the funds of the board of education and the board of public safety, and to issue therefor certificates of indebtedness" (No. 1912), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Burnett, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Freidel, Int. No. 1023, entitled "An act to amend the Greater New York charter, relating to the hours and duties of the members of the police force" (No. 1975), retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Hornidge, Int. No. 150, entitled "An act to amend the Greater New York charter, relative to the deposits made by bidders" (No. 443), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wilcox, Rec. No. 286, entitled "An act to amend chapter 53 of the Laws of 1879,

entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof" (No. 1157), reported in favor of the passage of the same with the following amendments:

In fourth line of title, after the word "Auburn" strike out the words "and the several acts amendatory thereof," and insert in place thereof the words "relative to revising several sections of the said charter."

Page 1, line 2, after the words "seventy-nine" insert the words "entitled 'An act to revise the charter of the city of Auburn.'"

Same page, line 2, after the word "by" strike out the words "chapter five."

Same page, strike out all of line 3.

Same page, line 4, strike out the word "ninety-five."

Page 3, line 12, after the word "four" insert a comma.

Page 6, line 14, between the words "and" and "bridges" insert the word "of."

Page 12, line 10, after the word "four" insert a comma.

Page 13, line 9, after the word "four" insert a comma.

Page 15, line 4, after the word "five" insert a comma.

Same page, line 21, after the word "five" insert a comma.

Page 19, line 25, after the word "ninety-seven" insert a comma.

Page 21, line 7, after the word "seventy-nine" insert a comma.

Page 22, line 22, after the word "four" insert a comma.

Page 23, line 13, after the word "eighty-five" insert a comma.

Page 24, line 12, after the word "ninety-nine" insert a comma.

Page 26, line 9, after the word "four" insert a comma.

Same page, line 17, after the word "city" insert a comma.

Page 28, line 23, after the word "four" insert a comma.

Page 29, line 6, after the word "four" insert a comma.

Page 30, line 13, after the word "funds" insert the words "Except that he shall pay to the treasurer of the firemen's association of the state of New York ten per centum of the amount received by him from the said two per centum tax for the support or maintenance of the Volunteer Firemen's Home at Hudson, New York."

Same page, line 21, after the word "ninety-three" insert a comma.

Page 31, line 18, after the word "two" insert a comma.

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hawkins, Rec. No. 215, entitled "An act for the relief of Catherine F. Mahon" (No. 755), reported in favor of the passage of the same with the following amendment:

Page 1, line 2, after the word "empowered" insert the words "in its discretion."

JEAN L. BURNETT,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. McManus, Int. No. 189, entitled "An act to provide for the treatment of persons, residents of the city of New York, male and female, in the city of New York, who are habitually intoxicated or who are found guilty of intoxication or who become incompetent or dangerous from the use of alcoholic stimulants, opiates, narcotics or drugs of any description" (No. 1628), retaining its place on the order of second reading, reported in favor of the passage of the same with the following amendments:

Page 2, line 3, after the word "drugs" insert three new sections, as follows:

"§ 2. Such hospital shall be under the management and control of a board of trustees consisting of seven residents of the city of New York appointed by the mayor. The first appointments shall be made for the terms of one, two, three, four, five, six and seven years. Subsequent appointments, except to fill vacancies, shall be made for the term of seven years. Vacancies shall be filled by appointment by the mayor for the unexpired term.

"§ 3. For the purpose of making the appointments aforesaid, the said mayor shall call upon the president or other executive head of each of the following organizations, to wit: The United Hebrew Charities of the City of New York, the Particular Council

of New York of the Society of St. Vincent De Paul in New York, and the New York Association for Improving the Condition of the Poor, to present a list of not less than twice the number of persons to be appointed members of said board of trustees, to fill a vacancy or otherwise. Notice in writing of the dates on which appointments, including the first, to said board of trustees are proposed to be made shall be given by the mayor to each of said presidents or other executive heads at least ten days prior thereto, and such list of names shall be so presented within three days after the receipt of such notice. Said presidents or other executive heads may each submit, or two or more of them may jointly present, such a list of names. Appointments to said board of trustees may in the discretion of the mayor be made from such list or lists.

“ § 4. No trustee shall be subject to removal under the provisions of section ninety-five of this act, but any trustee may be removed by the mayor upon proof either of official misconduct or neglect of duty or of conduct which tends to discredit his office or for mental or physical inability to perform his duties, but before such removal he shall receive due and timely notice in writing of the charges and a copy thereof, and shall be entitled to a hearing on like notice before the mayor and to the assistance of counsel on said hearing. No trustee shall receive pecuniary compensation for his services or be interested directly or indirectly in the furnishing or performing of work, labor, services, materials or supplies of any kind to or for said hospital by contract or otherwise. No trustee shall hold any office of emolument under the city, county, state or national government, except the offices of notary public, or commissioner of deeds, or offices in the national guard.”

Same page, strike out all of section 2 and insert in lieu thereof the following:

“ § 5. The board of trustees of said hospital shall appoint a medical superintendent and shall define his powers and duties. The said board of trustees shall establish and enforce rules and regulations for the government of said hospital. The salaries of the medical superintendent and other officers and employees of the said hospital shall be fixed as are the salaries of other employees of the city of New York.”

Same page, line 15, strike out the number “3” and insert the number “6.”

Same page, line 18, strike out the number "4" and insert the number "7."

Same page, lines 20 and 22, strike out the words "three physicians with the approval of the mayor" and insert the words "board of trustees in accordance with the civil service law and the rules and regulations established thereunder."

Same page, line 23, strike out the number "5" and insert the number "8."

Same page, lines 24, 25 and 26, strike out the words "take and set aside from the excise moneys received by them or under their control in the city of New York and in the counties of the city of New York" and insert the word "appropriate."

Page 3, lines 5 and 6, strike out the words "take and set aside from the aforesaid excise moneys so received as aforesaid" and insert the word "appropriate."

Same page, line 12, strike out the number "6" and insert the number "9."

Same page, line 14, strike out the words "cities for a period of time not to exceed one year" and insert the word "city."

Same page, lines 23 and 24, strike out the words "for a period not to exceed one year" and insert the words "for the period of one year."

Page 4, after line 3, insert the following new sections:

"§ 10. The board of trustees of said hospital, whenever it shall be satisfied that any patient is benefited by the treatment afforded therein to such an extent that it is for the best interest of such patient that he be released, may release and discharge such patient from said hospital at any time, irrespective of the term specified in the commitment thereto."

"§ 11. The board of trustees may receive at said hospital any persons who may apply to them for admission thereto, and who shall be certified by two reputable physicians to be in need of the treatment afforded by such hospital. No person shall be admitted pursuant to the provisions of this section unless he shall bind himself in such form as the board of trustees may prescribe to remain at such hospital for the period of one year unless sooner discharged therefrom by the board of trustees, and to conform to all the rules and regulations of the hospital."

"§ 12. The board of trustees may collect from the estate of any patient in the said hospital, or may receive from the friends or relatives of any such patient a sum not in excess of the actual

cost of the support and treatment of such patient in such hospital, as fixed by the board of trustees thereof."

Same page, line 4, strike out the number "7" and insert the number "13."

JEAN L. BURNETT,
Chairman.

Which report was agreed to and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Sullivan, Int. No. 1010, entitled "An act to amend the Greater New York charter, relating to the preference in the paid fire department of volunteer firemen" (No. 1974), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 2, line 10, beginning with the word "and" strike out all down to and including the word "service" in line 15.

Page 3, lines 14 and 15, underscore the words "physical" and "only."

JEAN L. BURNETT,
Chairman.

Which report was agreed to and said bill ordered reprinted and recommitted to said committee.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Lewis, Rec. No. 320, entitled "An act to amend chapter 614 of the Laws of 1887, relating to the police pension fund of the city of Rochester" (No. 1131), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Lewis, Rec. No. 323, entitled "An act to amend chapter 524 of the Laws of 1894, entitled 'An act to establish a pension fund for the paid fire department of the city of Rochester'" (No. 1132), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wilcox, Rec. No. 279, entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn, and the several acts amendatory thereof'" (No. 1084), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fechter, Rec. No. 262, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the position of storekeeper in the fire department of said city" (No. 1062), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Dooling, Rec. No. 260, entitled "An act to amend section 256 of the Greater New York charter, relating to a first assistant corporation counsel" (No. 1061), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Elsborg, Rec. No. 240, entitled "An act to amend the Greater New York charter relative to the municipal court of the city of New York" (No. 1042), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Burr, Rec. No. 252, entitled "An act to incorporate the Staten Island Association of Arts and Sciences and to provide for the care and housing of its museum and library by the city of New York" (No. 929), reported in favor of the passage of the same without amendment,

which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Elsberg, Rec. No. 239, entitled "An act to authorize the comptroller of the city of New York to examine and pay the claim of the Congregation Chaare Zedek" (No. 477), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Burnett, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Hawkins, Rec. No. 201, entitled "An act to authorize the comptroller of the city of New York to cancel of record certain taxes on exempt lands of St. Ann's church of Morrisania in the city of New York" (No. 458), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. La Fetra, Int. No. 788, entitled "An act to amend the Penal Code in relation to the misconduct of officers at drawing of jurors and the formation of a jury" (No. 911), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Phillips, from the committee on codes, to which was referred the bill introduced by Mr. Standart, Int. No. 859, entitled "An act to amend the Code of Criminal Procedure in relation to practice on appeals" (No. 1000), reported the same with the following amendment, and request that said bill be recommitted to said committee:

Page 2, line 3, commencing with the word "When" strike out all down to and including the word "operative" on line 12 and insert in place thereof the following: "When the judgment is of death, an appeal to the court of appeals stays the execution of course until the determination of the appeal. When the judgment is of death, it shall be the duty of the clerk of the court in which the judgment of conviction is had, immediately after the

service of the notice of appeal upon him, to transmit by special messenger to the sheriff of the county or to the agent and warden of the state prison in whose custody the defendant shall be, a certified copy of the notice of appeal with a certificate of the service thereof upon him, and take receipt therefor, which he shall immediately file in his office, and no other notice to the officer having the defendant in custody shall be required to make said stay operative. The actual and necessary expenses of the said special messenger shall be a county charge, payable out of the court fund on the certificate of the county clerk, approved and countersigned by the county judge."

JESSE S. PHILLIPS,

Chairman.

Which report was agreed to and said bill ordered reprinted and recommitment to said committee.

Mr. Apgar, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. Apgar, Int. No. 1384, entitled "An act to authorize the board of water commissioners of the village of Peekskill in the county of Westchester to issue bonds for the expense of a new force main and provide for the payment of water bonds of the village of Peekskill" (No. 1896), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to and said bill ordered restored to its place on the order of third reading.

Mr. Cadin, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Sullivan, Int. No. 739, entitled "An act to reduce the ferriage on the ferry known as the Long Island ferry, plying between the foot of East Thirty-fourth street in the borough of Manhattan, and Borden avenue in the First ward of the borough of Queens, and establish a rate of ferriage thereon" (No. 838), reported in favor of the passage of the same with the following amendment:

Section 3, line 10, strike out the word "immediately" and insert the words "June first, nineteen hundred and five."

M. L. CADIN,

Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Cadin, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Pendry, Int. No. 1440, entitled "An act to compel certain ferry companies to provide necessary sanitary arrangements by which the general public health may be promoted" (No. 2024), reported in favor of the passage of the same with the following amendment:

Page 2, line 15, section 5, after the word "effect" strike out the word "immediately" and insert the words "September first, nineteen hundred and five."

M. L. CADIN,
Chairman.

Which report was agreed to and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Hammond, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to amend chapter 435 of the Laws of 1875, entitled 'An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital,' to enlarge the power of the hospital to take, hold and mortgage property." (No. 1888, Int. No. 1376.)

"An act providing for the taxation for school purposes of the lands owned by the State and situate within the boundaries of union free school district No. 1, town of Dannemora, in the county of Clinton." (No. 1531, Int. No. 1197.)

"An act to authorize the Comptroller to hear and determine the application of John Ruffrange for the redemption of a portion of lot No. 55 in the town of Clinton, Clinton county, from the sale thereof by the Comptroller for unpaid taxes in the year 1881." (No. 1364, Int. No. 1105.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 1905) entitled "An act to repeal section 51 of the Public Lands Law, relating to preferences to original

owners on sales of abandoned canal lands" (Int. No. 1386), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-four" insert the words "entitled 'An act in relation to,'" and strike out the words "known as."

Same page, line 3, after the word "lands" insert a comma, and strike out the words "law, and."

Same page, line 4, after the word "laws" insert quotation marks.

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 2037) entitled "An act to amend the Forest, Fish and Game Law, in relation to fires to clear land" (Int. No. 1307), reported the same with the following recommendations:

Page 2, line 8, strike out the underscoring under the word "from."

Same page, line 9, underscore the words "in other counties."

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 179) entitled "An act to amend the Tax Law, in relation to the transfer tax clerk of Suffolk county" (Int. No. 178), reported the same with the following recommendation:

Page 2, line 4, strike out the word "fifty" and insert the word "twenty."

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the bill (No. 108) entitled "An act to amend chapter 112

of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter 29 of the general laws and the several acts amendatory thereof and supplementary thereto,' in relation to penalties" (Int. No. 108), reported the same with the following recommendations:

Amend the title to read as follows:

"An act to amend the liquor tax law, in relation to penalties."

Page 1, line 3, after the word "ninety-six" insert the words "entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter twenty-nine of the general laws.'"

Page 2, line 2, strike out the words "so as."

FRED W. HAMMOND,

Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Hammond, from the committee on revision, to which was referred the Senate bill (No. 2031) entitled "An act to amend the Civil Service Law, in relation to veterans" (Rec. No. 154), reported the same with the following recommendations:

Page 1, line 1, strike out the word "Sections" and insert the word "Section;" strike out the comma after the word "eight," and strike out the words "twenty and twenty-one."

Same page, strike out all of line 3 after the word "ninety-nine."

Same page, strike out all of line 4 before the word "entitled."

Same page, line 6, after the word "thereof" insert the words "as amended by chapter two hundred and seventy of the laws of nineteen hundred and two;" strike out the word "are" and insert the word "is."

Page 2, line 5, strike out the comma after the word "employees" and insert a semicolon.

Same page, line 8, strike out the word "offices" and insert the word "officers" and a comma; between lines 17 and 18 insert the following:

"§ 2. Section twenty of said chapter, as amended by chapter two hundred and seventy of the laws of nineteen hundred and two, is hereby amended to read as follows."

Page 3, line 20, underscore the word "act."

Same page, line 26, after the word "also" insert the word "a."

Page 4, before line 1, insert the following:

"§ 3. Section twenty-one of said chapter, as amended by chapter two hundred and seventy of the laws of nineteen hundred and two, as amended by chapter six hundred and ninety-seven of the laws of nineteen hundred and four, is hereby amended to read as follows."

Same page, line 6, strike out the comma after the word "thereof."

Same page, line 14, strike out the comma after the word "department."

Same page, line 17, insert a comma after the word "charges."

Same page, line 25, insert a comma after the word "fill."

Page 5, line 3, after the word "same" insert the words "In every county of the state wholly included within the limits of a city but not comprising the whole of such city, no regular clerk or head of a bureau or person holding a position in the classified state civil service, subject to competitive examination, shall be removed until he has been allowed an opportunity of making an explanation; and in every case of a removal the true grounds thereof shall be forthwith entered upon the records of the department of the office in which he has been employed, and a copy filed with the state civil service commission. In case of a removal, a statement showing the reasons therefor shall be filed in the department or office where such clerk, head of a bureau or person had been employed. Whenever such offices, positions or employments in every county of the state hereinbefore specified are abolished or made unnecessary, it shall be the duty of the head of the department or office in which such persons had been employed, to furnish the names of the person or persons affected to the state civil service commission, with a statement in the case of each of the date of his original appointment in the service. It shall be the duty of the state civil service commission forthwith to place the names of said persons upon a list of suspended employees for the office or position or for the class of work in which they have been employed, or for any corresponding or similar office, position or class of work, and to certify the said persons for reinstatement or reemployment in the order of their original appointment before making certification from any other list. The failure of any person on any such list for reinstatement or reemployment to accept, after reasonable notice, an office or

position in the same county and at the same salary or wages as the position formerly held by him, shall be held to be a relinquishment of his right to reinstatement as herein stated."

Same page, line 14, strike out the figure "2" and insert the figure "4."

FRED W. HAMMOND,
Chairman.

Which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

Mr. Brooks, from the committee on printed and engrossed bills, reported the following entitled bills as correctly printed or engrossed:

"An act to release to Walter Miller and Mary J. Miller, his wife, all the right, title and interest of the people of the State of New York in and to certain real estate, situate in the city of Rochester, known and described as lots Nos. 3 and 4 on a map and allotment of the Hart Place tract, made by F. J. M. Cornell." (No. 2060, Int. No. 1313.)

"An act to amend the Real Property Law, relative to conveyances." (No. 2069, Int. No. 1312.)

"An act to release to Francis Neher all the right, title and interest of the people of the State of New York in and to certain real estate situated in the Twenty-second ward of the city and county and State of New York, acquired by escheat or otherwise, upon the death of Elizabeth Mattson." (No. 2059, Int. No. 1302.)

"An act to establish a law library in the Fifth Judicial District to be known as the Robinson Memorial Library." (No. 2065, Int. No. 1235.)

"An act to repeal section 115 of the Lien Law, relating to the exemption of certain articles from the provisions of the Lien Law requiring the filing of contracts of conditional sale." (No. 2068, Int. No. 1068.)

"An act to amend the Code of Civil Procedure, in relation to the examination of witnesses to wills." (No. 2063, Int. No. 1363.)

"An act to amend the Labor Law, relative to the issuance of employment certificates for employees in factories and mercantile establishments." (No. 2061, Int. No. 977.)

"An act to amend the State Charities Law, authorizing the transfer of inmates of State charitable institutions." (No. 2067, Int. No. 586.)

"An act to amend the Forest, Fish and Game Law, relative to taking fish with nets in Lake Ontario." (No. 1092, Int. No. 911.)

"An act to legalize the acts of Lyman C. Broughton, a coroner of the county of Wyoming, and to permit him to file his oath of office." (No. 1953, Int. No. 1417.)

"An act to authorize the issuing of licenses to honorably discharged volunteer firemen of the State of New York for peddling, vending and selling merchandise within this State." (No. 2033, Int. No. 1049.)

"An act in relation to unpaid taxes, and sales for unpaid taxes in the towns, villages and school districts in the county of Richmond, as the same existed prior to January 1, 1898, the time of the taking effect of the Greater New York charter." (No. 2038, Int. No. 1314.)

"An act providing for the taxation for school purposes of lands owned by the State and situate with the boundaries of union free school district No. 1, town of Dannemora, in the county of Clinton." (No. 1531, Int. No. 1197.)

"An act to authorize the Comptroller to hear and determine the application of John Ruffrange for the redemption of a portion of lot No. 55 in the town of Clinton, Clinton county, from the sale thereof by the Comptroller for unpaid taxes in the year 1881." (No. 1364, Int. No. 1105.)

"An act to amend chapter 435 of the Laws of 1875, entitled 'An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital,' to enlarge the power of the hospital to take, hold and mortgage property." (No. 1888, Int. No. 1376.)

"An act to amend chapter 79 of the Laws of 1904, entitled 'An act authorizing the town board of the town of Caledonia, Livingston county, to pay the board of trustees of the village of Caledonia, in such county, a certain sum annually toward the salary of a village policeman.'" (No. 1937, Int. No. 1408.)

"An act to amend chapter 560 of the Laws of 1902, relative to the department of public instruction in cities of the second class." (No. 1085, Int. No. 1290.)

"An act to legalize the acts of William McCormick, a justice of the peace of the town of Potsdam, county of St. Lawrence." (No. 1933, Int. No. 1404.)

The bill (No. 1941) entitled "An act to amend the Stock Corporations Law, in relation to consent to change place of business" (Int. No. 1412), was read the second time.

On motion of Mr. Dowling, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Foelker offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Senate bill No. 803, entitled "An act to amend section 1 of chapter 597 of the Laws of 1902, entitled 'An act authorizing the appointment of a confidential attendant by the justices of the Supreme Court designated to the Appellate Division of the Second Department or a majority of them.'" (Rec. No. 261.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Foelker, and by unanimous consent, said bill was substituted for Assembly bill No. 1328, Int. No. 1082, same title and subject, now on the order of second reading.

On motion of Mr. Foelker, and by unanimous consent, said bill was read the second time and ordered to a third reading.

The bill (No. 1328) entitled "An act to amend section 1 of chapter 597 of the Laws of 1902, entitled 'An act authorizing the appointment of a confidential attendant by the justices of the Supreme Court designated to the Appellate Division of the Second Department or a majority of them'" (Int. No. 1082), having been announced for a second reading,

On motion of Mr. Foelker, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1236) entitled "An act to amend the Greater New York charter relative to the municipal courts" (Int. No. 1041), was read the second time.

On motion of Mr. Dowling, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1377) entitled "An act to provide for the appointment of Supreme Court Commissioners in judicial departments containing counties having a certain population, and providing for the mode of selecting and appointing such Supreme Court Commissioners in and for each of said judicial departments, and regulating and prescribing the duties of such commissioners" (Int. No. 1118), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2056) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James L. Gernon, for salary alleged to be due him as Deputy State Factory Inspector, and to render judgment therefor" (Int. No. 1457), was read the second time.

On motion of Mr. Thonet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1990) entitled "An act to improve the character of public water systems throughout the State by requiring that plans for such systems shall be examined and approved by the State Commissioner of Health" (Int. No. 1430), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1988) entitled "An act amending chapter 29 of the general laws, being the Public Health Law and acts amendatory thereto, relating to public water supplies" (Int. No. 1428), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 122) entitled "An act to amend the Public Health Law and the acts amendatory thereof, in relation to pharmacy" (Int. No. 122), having been announced for a second reading,

On motion of Mr. Phillips, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1217) entitled "An act to release to Margaret Marth all the right, title and interest of the people of the State of New York in and to certain real estate situated at Brentwood Plaza, Westchester county, and in certain real estate situated in the town of Southampton, Suffolk county, and State of New York, acquired by escheat or otherwise upon the death of Roman Marth, deceased" (Int. No. 1007), was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1821) entitled "An act to release to Charles E. Coddington, all the right, title and interest of the people of the State of New York, in and to certain real estate situate in the borough of Manhattan, city, county and State of New York" (Int. No. 1354), was read the second time.

On motion of Mr. Palmer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2051) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Anna Fleming against the State for damages alleged to have been sustained by her, and to render judgment therefor" (Int. No. 1451), was read the second time.

On motion of Mr. Grattan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1994) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William D. Hudson, for salary alleged to be due him as Deputy State Factory Inspector, and to render judgment therefor" (Int. No. 1434), was read the second time.

On motion of Mr. Dowling, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 17) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Edwin H. Risley and Henry M. Love, comprising the firm of Risley & Love, against the State of New York" (Int. No. 17), was read the second time.

On motion of Mr. Gates, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1910) entitled "An act to vacate and abandon a portion of Second street in the village of Oneida Castle, as a street, and providing that the land lying contiguous to such abandoned portion of the south shall be bounded northerly by a line one rod northerly of the present southerly line of said street and releasing the remainder of said street to the village of Oneida Castle" (Int. No. 1398), was read the second time.

On motion of Mr. Pratt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1989) entitled "An act amending chapter 21 of the general laws, being the Village Law and acts amendatory thereto, relating to the establishment of sewer systems" (Int. No. 1429), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1656) entitled "An act to amend the Tax Law in relation to the levying of taxes upon and the resale of real property that has been once sold for taxes" (Int. No. 1276), was read the second time.

On motion of Mr. Miller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1936) entitled "An act to prohibit the blacklisting of employees" (Int. No. 1407), having been announced for a second reading.

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 976) entitled "An act to amend article 6 of the Lien Law, relative to the lien of keepers of automobile garages" (Int. No. 834), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The concurrent resolution (No. 2000) entitled "Concurrent resolution proposing amendment to section 1 of article 2 of the Constitution relating to qualification of voters" (Int. No. 500), was read the second time.

On motion of Mr. Agnew, said resolution was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 836, Assembly reprint No. 1800) entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to the jurisdiction of the police court and police justice" (Rec. No. 193), was read the second time.

On motion of Mr. Callahan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1597) entitled "An act to amend the Penal Code, in relation to unauthorized advertisements for applicants for degrees or membership in any secret fraternity" (Int. No. 1242), was read the second time.

On motion of Mr. Santee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 402) entitled "An act to amend the Code of Civil Procedure, relative to the possession of property on giving security" (Int. No. 402), was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1929) entitled "An act to amend the Penal Code, relative to the desecration, mutilation or improper use of the flag of the United States, or of this State" (Int. No. 1396), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1553) entitled "An act to amend section 3304 of the Code of Civil Procedure, in relation to fees of county clerks, for filing papers relating to corporations" (Int. No. 1215), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 790) entitled "An act to amend the Code of Civil Procedure relative to the power and jurisdiction of justices of the peace in certain instances" (Int. No. 703), was read the second time.

On motion of Mr. Thompson, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 925) entitled "An act to amend the State Printing Law in relation to qualifications of contractors" (Rec. No. 312), having been announced for a second reading,

On motion of Mr. Phillips, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 964) entitled "An act for the relief of Ken-sico cemetery" (Rec. No. 256), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The Senate bill (No. 877) entitled "An act to amend the Railroad Law in relation to the incorporation and powers of railroad corporations" (Rec. No. 317), having been announced for a third reading.

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 592) entitled "An act to extend the time of the Watertown and Carthage Traction Company to complete the construction of its road and extensions, and put the same in operation" (Rec. No. 152), was read the second time.

On motion of Mr. La Rue, said bill was placed on the order of third reading.

The Senate bill (No. 230) entitled "An act to amend section 88 of chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws,' relative to garbage and ashes" (Rec. No. 149), was read the second time.

On motion of Mr. Wainwright, said bill was placed on the order of third reading.

The bill (No. 1024) entitled "An act to authorize trustees of the village of Sag Harbor, Suffolk county, to construct and maintain a wharf in such village" (Int. No. 299), was read the second time.

On motion of Mr. Reeve, said bill was placed on the order of third reading.

The Senate bill (No. 1034) entitled "An act to amend section 62 of the Public Lands Law, relating to releases of escheated lands by the commissioners of the land office" (Rec. No. 250), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 708) entitled "An act to amend the Public Health Law, relative to the report of the health officer of the port of New York" (Rec. No. 197), was read the second time.

On motion of Mr. Platt, said bill was placed on the order of third reading.

The Senate bill (No. 995) entitled "An act to amend chapter 559 of the Laws of 1895 entitled 'An act relating to membership corporations constituting chapter 43 of the general laws,' in respect to christian associations, as amended by chapter 541 of the Laws of 1900, and by chapter 469 of the Laws of 1901'" (Rec. No. 225), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 759) entitled "An act to amend the State Charities Law, in relation to the State Custodial Asylum for Feeble-Minded Women at Newark" (Rec. No. 136), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 652) entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace" (Rec. No. 124), having been announced for a third reading,

On motion of Mr. Phillips, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 515) entitled "An act to amend the Code of Civil Procedure, in relation to proceedings for the condemnation of Real Property" (Rec. No. 118), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 14) entitled "An act to amend sections 481 and 500 of the Code of Civil Procedure, relating to the contents of a complaint and answer" (Int. No. 127), having been announced for a third reading.

On motion of Mr. McKeown, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 581) entitled "An act to amend article 7 of title 3, chapter 18 of the Code of Civil Procedure, relating to the authentication of wills admitted to probate in other States, and of letters testamentary and of administration granted in other States, so as to entitle the same to be recorded in this State" (Rec. No. 158), was read the second time.

On motion of Mr. Thompson, said bill was placed on the order of third reading.

The Senate bill (No. 1020) entitled "An act to amend section 220 of the Code of Civil Procedure relative to the designation of justices of the Appellate Division, and the times when such designation shall take effect" (Rec. No. 248), was read the second time.

On motion of Mr. Ogden, said bill was placed on the order of third reading.

The Senate bill (No. 1023) entitled "An act to amend the Penal Code, relative to juvenile offenders and the suspension of sentence" (Rec. No. 221), was read the second time.

On motion of Mr. Ogden, said bill was placed on the order of third reading.

The bill (No. 1388) entitled "An act for the relief of Thomas Conley" (Int. No. 1131), having been announced for a third reading,

On motion of Mr. Phillips, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1971) entitled "An act to incorporate the Hebrew Free Loan Association" (Int. No. 1067), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Agnew	Cowan	Hornidge	Pendry	Standart
Allen F E	Cox	Hubbs	Perry	Stanley
Allen J G	Cunningham	Hurd	Phillips	Steele
Anderson	Dodd	Kavanaugh	Platt	Stevens
Apgar	Donovan	La Fetra	Pratt	Tenjest
Bass	Dowling	La Rue	Prentice	Thompson G F
Becker	Etzel	Leggett	Prince	Thompson J A
Bedell	Evans	Lewis	Reeve	Tompkins
Beebe	Everett	Maier	Reilly	Waddell
Beihliff	Fish	Malloy	Rigby	Wade
Bird	Fitzsimons	Mathews T F	Rosenstein	Wadsworth
Bisland	Foelker	Matthews C R	Salomon	Wainwright
Brady	Francisco	McKeown	Santee	Wedemeyer
Brooks	Freidel	McManus	Scovill	West
Burns	Fuller	Mead	Shanahan	Wemple
Burzynski	Gardner	Merritt	Sheehy	Whitney F G
Byrne	Gates	Miller	Sheldon	Whitney G H
Cadin	Grady	Moreland	Sherry	Wiegand

PLAN OF INDEX.

This Journal is indexed upon the following plan:

1. Every bill relating to a locality may be found indexed under the name of that locality and ordinarily will not be found indexed under the subject to which it relates.

2. All bills relating to Kings county will be found under the Borough of Brooklyn, and all bills relating to Greater New York under New York City and Boroughs of Manhattan, Bronx, Brooklyn, Richmond and Queens.

3. Every general bill will be found indexed under the proper subject.

4. Every resolution, excepting those recalling bills, will be found under "Resolutions."

5. Every bill relating to canals will be found under "Canals."

6. The bills relating to general laws under the proper heads, i. e., "Banking Law," "Benevolent Orders Law," "Game Law," "Lien Law," "Revised Statutes," &c., &c., also under the head "General Laws."

7. All claim bills under "Claims."

8. Bills relating to cities of either class under "Cities of 1st Class," "Cities of 2d Class," &c., &c.

9. All code amendments under the heads of "Code Civil," "Code Criminal," and "Code Penal."

10. All petitions under "Petitions," and reports under "Reports."

11. All points of order under "Points of Order."

12. All decisions and acts of Speaker under "Speaker."

13. Privileges of floor under "Privilege."

14. All matters not relating to bills under the proper head.

15. The numbers used in this index, viz.: "Int. No.," refers to Assembly bill and its introductory number, and when "Rec. No." is used, it refers to a Senate bill and its reception number.

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Westchester county, relative to legalize bonds for street improvement in village of Tuckahoe (Rec. No. 13)	206, 259	292, 301, 342, 638
Westchester county, relative to make the office of supervisor salaried and regulate sessions of board (Int. No. 273)	107	
Westchester county, sanitary trunk sewer and outlet, relative to provide for construction (Int. No. 962)	737, 3596	
Westchester county, sheriff, powers and duties (Int. No. 616)	346, 578, 627, 691	
Westchester county, sheriff, powers and duties (Rec. No. 107)	697, 781, 856	
Western, Benjamin E., relative to legalize official acts as justice of the peace, town of Norway, Herkimer county (Int. No. 191)	86, 155, 175, 188, 198, 216, 318, 419, 421, 447	
West, Hon. L. D., announced that he was unavoidably absent of April 20th, and would if present voted against Senate bill No. 163 (Rec. No. 106)	2765	
West Point reservation, relative to purchase by the United States, lands for water supply (Rec. No. 19)	277, 348, 383	

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White Plains, relative to appoint an assessor and prescribe manner of collecting tax (Int. No. 856)	567, 1994, 2210
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White Plains, battle of, relative to erection of a monument (Int. No. 483)	251, 2613, 3208, 3230
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Yonkers, charter of city, to amend, relative to appropriation
for public library (Rec. No. 130)985, 1290, 1408, 1472

Yonkers, charter of city, to amend, relative to city buildings
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Yonkers, relative to city court (Int. No. 1321)1616, 1923
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Yonkers, relative to issue bonds for construction of bridges
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Yonkers, relative to issue bonds for highway purposes (Int.
No. 1202)1155, 1421, 1495, 1540, 1692, 1781, 2063, 2469

Yonkers, relative to public schools (Int. No. 1036)874, 1681
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